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THE PRINCIPLES OF ETHICS

BY

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PREFACE

THIS work is an introduction to fundamental moral ideas and principles, rather than a detailed discussion of specific duties and virtues.

Moral philosophy has been with us from the beginning; but moral theory still fails to get on. According to Rousseau, Socrates defined justice, but men had been just before. It is a happy circumstance, and one very full of comfort, that in the great bulk of duties that make up life, men of good will can find their way without a moral theory. One feels this especially when listening to the confusion of tongues which the history of moral science presents.

This confusion has several prominent sources. First, irrelevant psychological questions are started. Secondly, there has been a very general desire to deduce the moral life from a theory, instead of deducing a theory from the moral life. This inverted procedure, which is structural with the dogmatic mind, has led to numberless distortions of experience, and to unreal simplifications and explanations without end. But probably the chief source of the confusion is the failure to bring our abstractions to

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the best of concrete application. Ethical theory has been a product of the closet rather than of life. A closet philosopher can build a number of plausible systems with such abstractions as duty, virtue, and happiness; and so long as he remains in the closet, no difficulty appears. In order that we may understand these abstractions, both in their plausibility and in their barrenness, I have dwelt upon them at length. There seemed to be no other way of clearing the ground, and of freeing ourselves from sterile contentions and dreary verbal disputes. It makes pretty dry reading indeed; but it is necessary for understanding the course of ethical thought.

Apart from this critical discussion, the work has two leading thoughts. One is the necessity of uniting the intuitive and the experience school of ethics in order to reach any working system. The other is that the aim of conduct is not abstract virtue, but fulness and richness of life.

On the first point, it is plain upon inspection that each school is needed to complete the other. Ethics can never dispense with the good will as the centre of moral theory; and the good will can never dispense with practical wisdom and the teachings of experience, if it is not to lose its way. When we abstract the good will from the natural objects set for its exercise in our constitution and the nature of things, the moral life is carried on in a vacuum,

and loses all real substance and value. And when we abstract conduct from the personality in which it originates and which it expresses, we have a base, or sordid, externalism which is its own condemnation.

Between these excesses, moral theory has largely oscillated from the beginning. Each excess has generated the other. The intuitive ethics in its devotion to virtue has alway tended to the vacuum view of the moral life. It has been encouraged in this error by misunderstood religion. Both have an important truth, the supreme significance of the moral personality; but both have failed properly to appreciate that the natural life furnishes the field and the raw material of the moral life. Thus the great normal interests of humanity have been forced to go their way, unblessed and even stigmatized as dangerous and profane. With such conceptions on the part of ethics and religion, the opposing secular and worldly view was necessary for the full expression of life, and indeed necessary for its salvation. But this view has been held in equal one-sidedness, and with a baseness and sordidness of aim which is a libel on humanity.

The only escape from these excesses is to see that life itself is the field of morals, and the realization of ideal life the aim. This aim, indeed, is only a form of words until it is interpreted by the living

spirit; but it has the advantage of suggesting that our present duty consists, not in the pursuit of a mythical or unnatural virtue, but in faithfulness and helpfulness in the actual relations of the family, of neighbor, of citizen, etc. Thus the mind is recalled from the insanities of ascetic morality, and from the negative and quietistic aims of much ecclesiastical morality, and is set upon the positive task of making righteousness and good will stand fast and bear rule in the earth. Ethics must find its fruitful field in these homely duties and relations. The measure of Lucretia's guilt and the ethics of martyrdom are unimportant questions in comparison. They are not likely ever to become real questions for us; and if they do, we may be sure that our previous theorizing will not help us in their solution.

It will not escape the reader's attention how many practical problems are theoretically indeterminate. Mediæval ethics sought to solve such problems and lost itself in an endless and demoralizing casuistry. For such cases, ethics can only lay down the principles of conduct, and leave individuals to apply them. The cases of casuistry which will arise in every life must be settled by the individual for himself and at his own risk. To the faithful soul, this indeterminateness will be a call to inner loyalty and impartiality. To the unfaithful, it will serve as an excuse for disloyalty. To those who fancy that guilt attaches to

deeds, apart from any consideration of the agent's motives, it will be an argument for an infallible guide to morals. To the wise man, it will be a ground for charity in judging the motives of men. There is no need to consider the excuse of the unfaithful, as one who does not wish to do right will never lack an excuse. No theory can be devised which will exclude inward or outward dishonesty.

Pre-eminently is it true when we come to the larger questions of society, that no final practical formula can be found. The good will is, of course, an absolute duty as a disposition; but the best forms of its realization are not always manifest. Here especially we need the guidance of practical wisdom and the teachings of experience. The present and prevailing weakness of our ethico-social movements is the general acceptance of the notion that any one who means well is fit to undertake social reforms. Of course, we supremely need an armed, aggressive, unslumbering, untiring enthusiasm for humanity, as the driving force of all reform; but without practical wisdom that enthusiasm is sure to lose its way, and to aggravate the ills it aims to cure. How much of the noisy zeal now current in this field is genuine is hard to say. Up to date, its generous fervor seems so completely exhausted in urging others to self-sacrifice as to recall the patriotic devotion of the late Mr. A. Ward.

In any case, the good will must find its way in this field by experience, by trial and rejection, by proving all things and holding fast all that is good. Especially is the doctrinaire, with his finalities and finished schemes, to be avoided. On the one hand, the conservative will plead that whatever has been ought always to be, and on the other, the radical will ignore all the teachings of experience in the interest of a brand-new speculation. Between these extremes of unwisdom, the wise man must find his way, guarding himself against both the scruples of ignorant conscientiousness and the lawlessness of the selfish will.

The brief discussion of our leading human relations and institutions is meant as a hint rather than a discussion. It is intended to show what is meant by making our moral task to consist in the moralization of life. The natural must be raised to the plane of the moral; but the moral must find its field in the natural. It is also intended to show how complex the problems are, and how impossible it is to solve them without taking into account both the moral nature and the teachings of experience. The lawyer, the economist, the historian, and the moralist must work together, and the sentimentalist must be left out.

Borden P. Bowne.

Boston, July, 1892.

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PRINCIPLES OF ETHICS

INTRODUCTION

Historically, the moral life did not begin by laying down general principles of conduct, but by forming codes of concrete duties. Duties to parents, children, neighbors, tribe, etc., were the concrete forms in which the moral nature first manifested itself, and in which also it still finds its chief expression. In this respect the moral life is the analogue of the mental life. The latter also did not begin with abstract speculative principles, or with theories of knowledge, but with specific acts of knowing. In both alike the knowledge of principles was second and not first; and in both alike principles were implicit from the beginning.

But the development both of the individual life and of historical and geographical knowledge serves to disturb the naïve and instinctive forms with which the moral life begins. Other peoples are discovered with customs different from ours. Reflection also serves to detect many arbitrary or inconsistent features in prevailing codes. Conscience is invoked to ratify oppression, superstition and nonsense. Finally, experience shows that the right

way is not always easily or immediately discerned. Such facts lead to the attempt to rationalize our moral experience by passing behind the instinctive form to the underlying principle. In this way we hope at once to escape the scepticism suggested by conflicting codes, and to get some better guidance for life itself.

In this respect also the moral life is the analogue of the mental life. In the mental world vast discords are revealed by observation; and reflection detects not a few in the spontaneous utterances of thought itself. Here too a work of analysis and elimination has to be undertaken with the aim of reducing the discord by detecting the implicit principles and the underlying harmony.

Ethical study may take several directions:

1. We may study the genesis and development of moral ideas and of practical codes. This genesis might be studied either in the development of the individual, or in the larger field of history. We might see moral ideas emerging in the unfolding of individual consciousness, or in the moral progress of the race. Such a study might reveal a certain order of succession in the appearance of moral conceptions, and also certain psychological and historical conditions of the same. This field of inquiry has been much cultivated in ethical literature, but, unfortunately, too often under the influence of the fancy that the worth and validity of moral ideas can be determined thereby. This mistake has led to a great deal of misdirected effort and irrelevant dis-

cussion. The history of the genesis and emergence of an idea is one thing; its validity is quite another. The logical value of chemistry cannot be decided by reciting its beginnings in alchemy; and the logical value of astronomy is independent of the fact that it began in astrology.

2. We may study the psychological faculties concerned in the production of moral ideas, the nature of conscience, the relation of desire and will, and of reason and sensibility. This field also has been much cultivated; and works on ethics abound in theories of the moral sentiments and the moral faculty. This work is purely psychological, and, except negatively, is barren for ethics proper. Its negative bearing consists in the fact that these theories are often advanced in the interests of moral scepticism, or as apologies for vice.

These two inquiries comprise almost the whole of English ethical literature. Theories of the moral faculties, and geneses, real or alleged, of moral ideas make up the gist of it. In the search for origins even the brute world has been sharply scanned; and the bearing of flogged curs has been invested with deep significance.

3. We may study our moral ideas in themselves, and seek to unfold their postulates and implications. This would give us the theory of ethics, or, as it has been called, the metaphysics of ethics.

4. We may apply the theory thus reached, or assumed, to the construction of a concrete code of conduct. Having first inquired what principles should rule us as moral beings, we next inquire

what forms of conduct these principles prescribe in the circumstances of actual life. These two inquiries cover the field of ethics proper.

5. We may consider the relation of man to the ideal of conduct, the obstacles in human nature to the realizing of the moral ideal, and the ways and means of bringing men into harmony with the ideal. It is in this field that our great practical difficulties lie. After having unfolded the ideals of character and conduct we find men practically indifferent to them. Then we have to begin the study of moral and spiritual dynamics. The chief studies in this field have been made in connection with Christian doctrine and life.

These several questions should always be kept distinct in thought and generally in treatment. Their confusion is the great source of the barren logomachies which have so long desolated ethical literature. In the following discussion our main concern will be with ethical theory, not, however, without some side glances into the other fields.

The question concerning the origin of moral ideas is irrelevant to our present aim; but it has so generally been supposed to be the great question of ethics that a word must be devoted to it. The English moralists have generally confused the question of origin with that of validity, and have produced not a little misunderstanding and waste of effort. Divers analyses, deductions, and histories of moral ideas have been offered, in which the aim has been, on the one hand, to reduce them to something else,

and, on the other, to show that they are primitive and irreducible. In both cases the aim is ethically irrelevant, and in the former case it is a failure. A system of ethics, like a system of mathematics, has not to inquire into the origin of the ideas with which it works, but only into their meaning and implications. In both cases the ideas are valid, if at all, not by virtue of a peculiar genesis, but because of the evidence with which they appeal to the mind as it now is. When a received doctrine is seen to be false, we can understand its prevalence by considering the circumstances of its origin; and when a doctrine is seen to be true, there is an interest attaching to the history of its development; but in neither case can we use the history as either proof or disproof without assuming that the worth of an idea is compatible with only a given form of psychological genesis and history.

To understand the prevalence of the error in question in English ethics, we must note its source in English psychology. This psychology, which has been largely sensationalism, has sought to deduce our rational ideas and powers from sensations and the sensibility. Assuming the latter with the laws of association, it has claimed to exhibit the former as their product. That the rational ideas are conditioned by the sense experience and are sequent to it, is unquestioned by any one; and that experience shows a successive order of manifestation is equally undoubted. But the sensationalist has always shown a curious blindness to the ambiguity of such a fact. He will have it that what comes after must

be a modification of what went before; whereas it might be that, and it might be a new, though conditioned, manifestation of an immanent nature or law. Chemical affinity is not gravity, although affinity cannot manifest itself until gravity has brought the elements into certain relations.

In addition to this oversight, there is a chronic uncertainty in sensationalism whether the sensations are really transformed into something else, or whether they remain essentially on the sensational plane. Both views are absurd. A sensation is no self-identical thing, or stuff, which admits of formal modifications without change of nature. It is rather a mental state, or phase of the sensibility; and when it changes, nothing is transformed and nothing abides. The abiding stuff here is only the shadow of the formal law of identity, according to which every object of thought is given a self-identical content. In reality we might as well look for a transformed identity in a case of variable motion, or in a changing musical note. To conceive sensations as a kind of atomic substance is a full-blown absurdity; and when this is not done, we have simply an order of movement according to law. But this law finds full expression in no antecedent or set of antecedents, but only in all antecedents and consequents taken together. For no being subject to development can be defined merely by what it is; we have also to include what it is to be.

Having thus victoriously deduced the rational nature, sensationalism proceeded to deduce the moral nature also. The process was ruled by the implicit

assumption, which sometimes became explicit, that the lower elements which were the raw material of the process continued unchanged in their combinations. These elements consisted mainly of physical pains and pleasures and the lower egoistic sentiments. Out of these, the moral nature and moral ideas and sentiments were built up. But as the components were supposed to be unchanged in the compound, the baseness of the material affected the product, and the moral nature was made to appear as of the earth earthy. Hence arose not a little moral scepticism; and hence, again, the prominence of the question concerning the origin of moral ideas in English ethical speculation. It was supposed that ethics could be saved only by discovering a moral faculty, or a moral sense, or some other psychological fact.

Relics of the same conviction appear in the joy or horror felt at the appearance of the doctrine of evolution in ethics. Here the law of identity plays one of its best tricks upon us. We begin with the brute, and assume that it is only brute. Then we discover progress, and as evolution is the word, we view the advance as the product of the brute condition, and hence as brute itself. How that which is essentially and only brute can become anything else, or how the brute which has transcended itself still remains the identical brute—these questions are undreamed of. Both assumptions involve a contradiction. In the former case, we affirm a groundless development; and in the latter case, we deny the development while affirming it. Either

we have a groundless change in the identity, or a contradictory identity in the change.

To illustrate: suppose we have a being whose nature provides only for selfish impulses; the problem is to turn him into an unselfish being. As long as we assume that the nature is exhausted in selfish desire and impulse, there is no movement possible. We may endow him with great insight, so that he shall see that others are necessary to his well-being and shall thus be led into unselfish action. But here the unselfishness is only in form; it is action upon others, but always with a selfish reference. It is the unselfishness of the farmer who takes care of his cattle, feeding and housing them well, yet always with an eye to the market. It is prudent selfishness; and our theory provides for nothing more.

But if we suppose that the transformation has really been made, no matter by what logical and psychological hocus-pocus, then we must not view our unselfishness as really disguised selfishness, for that is contrary to the hypothesis. The selfishness is supposed to have been transformed, and hence exists no longer as selfishness. The unselfishness is to be understood and estimated on its own account, and is not to be branded as base because of its antecedents. To do this is to deny the transformation.

The formal law of identity leads to the fancy of an abiding stuff in sensation which remains unchanged throughout all its alleged changes. The failure to see that a developing thing cannot be adequately expressed by its early stage of develop-

ment, but only by all that toward which it is developing, leads to the fancy that that which is essentially and only brute can yet in some way transcend the brute condition. The fancy itself is ambiguously held. Sometimes the brute gives birth to something beyond itself; and sometimes its products are all classified as brute because of their brute origin. The illusion is completed by the fallacy of the universal. The plurality and differences of things disappear in the unity and monotony of the class term. Then it is easy to suppose that things have been identified, and that the class term represents a simple homogeneous existence from which particular things have sprung. Sensationalism is largely a case of this fallacy; and in this case the fallacy is manifold. When all mental states are declared to be phases of sensation, we fancy forthwith that we have identified the states and have reached their original source. In fact, however, classification makes no identity and cancels no difference, while class terms represent no possible existence but only a common name for a multitude of particular facts each of which is what it is on its own account. Cows and horses are not identified by being called animals, nor is there any animal in general from which cows and horses may be deduced. In like manner, mental states are not identified by classing them as sensations; nor is there any primal mental element, sensation in general, from which all other mental facts are deduced. This sensation in general is an abstraction of logic and not a fact of existence. The fact of sense experience is a multi-

tude of particular sensations of color, odor, warmth, etc.; and from these none could think of deducing anything beyond themselves. But sensation in general, because it is nothing in particular and because it can be applied to any number of unlike things, is supposed to contain them all, and to be ready at a minute's notice to evolve them. Both the identification and the evolution are purely verbal. The same remark applies to the notable discovery of some biological moralists that egoism and altruism are elaborations respectively of the physiological instinct of nutrition and of propagation.

We return from this critical excursion with several convictions as follows:

1. The pretended deduction of moral ideas from non-moral data is purely verbal and fictitious.

2. The pretended reduction of moral ideas to non-moral elements is likewise purely verbal and fictitious.

3. The actual order of graded development in the mental life cannot be understood as a modification of its earliest phases, but only as the successive manifestation of a law immanent in the whole development.

4. No psychological theory concerning the origin and genesis of our ideas, moral or otherwise, can be used as a test of truth, or as a method of discovery, at least so long as the general trustworthiness of reason is allowed.

The last point deserves consideration by both of the leading schools of psychology. A logical sensa-

tionalism might indeed be incompatible with reason; in which case reason would not have to surrender to sensationalism, but rather sensationalism would be condemned by reason. But so long as the sensationalist does not play the part of the sceptic, he can make no use of his theory of mental origins in rational investigation. There is one logic and one scientific method for all. Positive truth must always depend upon the matter itself and the reasons offered for it; and the court of appeal must always be our actual mental insight. It is plain that we have to use such faculties as we have, and any dreams about things revealed unto babes or to still earlier links in the chain of development are quite irrelevant. Especially is the evolutionist precluded from appealing from the present insight of reason; for, by hypothesis, that insight is the result of an educative process reaching through the life of the race. And as we are supposed to be developing faculty, power, knowledge, of course our faculties are most trustworthy in their latest stage; for in this stage they have had the fullest drill of experience, individual and racial, and the longest sifting by that natural selection whose special function it is to separate the false from the true. If, then, in hunting up our genealogical record we should come upon sub-human ancestors of arboreal habits, we should have no occasion, as philosophers, to be startled, or to tremble for the validity of the multiplication table, or of the Golden Rule.

But the intuitionist is as badly off in this matter as the empiricist; for he, too, can make no use of

his theory of innate ideas as a test of truth. The theory of an innate mathematical faculty could not be used as an instrument of mathematical study; and if we had such a faculty, the truth of its utterances would still remain an open question. It is by no means self-evident that the innate must be true; indeed, the most formidable scepticism in the history of thought has been based on the assumption of apriori mental forms which, while they determine thought, so mask the object that we can never know it as it is.

The sum is this: All investigation pre-supposes a certain insight on the part of the mind, no matter whether original or acquired; and that insight must be the final court of appeal. Nor is that insight in any way affected by theories as to the faculty from which it springs. The insight is not deduced from the faculty; but the faculty is invented to explain the insight. So far as ethical theory is concerned, there could be no more barren search started than that for the faculty on which moral insight rests. Call it feeling, moral sense, moral reason, and still the debate touches only the psychological classification, and in no way affects the logical standing of the matter in question. Classification leaves the fact just what it was. As already said, it produces no identity and cancels no difference.

We can, then, understand the prominence in English ethics of the question concerning the origin of our moral ideas. A false psychology started false issues, and these were met by irrelevant logic. The blind led the blind with the usual result. We

rule out the inquiry as having only a psychological interest, and as furnishing no guide in moral theory. If we have moral insight, it is no matter how we get it; and if we have no such insight, there is no help in any psychological theory.

In studying the literature of ethics, one is struck by the variety and discord of the views presented. This is due partly to the complexity of life itself, and partly to differences of psychology and philosophy. Human nature itself is manifold, and life has many springs. Our action as a whole involves two general aims, to secure outward happiness and fortune, and to attain to inward worth and peace. In the former aim our success depends upon a variety of laws, physical, social, and psychological. Here we use our knowledge, skill, sagacity, experience. The realization of the second aim depends upon the attitude of our will toward our ideal of life and action. Any complete view of life must recognize both of these aims, but they have often been held apart. Hence there have been systems of ethics which looked only to external fortune and happiness. Such systems are systems of prudence only; and their typical saint is the long-headed and shrewd. In such an outcome, men miss the innermost essence of morality, the holy will and character, altogether. On the other hand, the search for inner worth and peace has often gone on in unwholesome abstraction from the world of outward life, thus producing a false, and often unspeakably pernicious, separation between the "worldly"

and the moral life. This separation is as untenable in theory as it is odious in practice. Not only must life be adjusted to an inner ideal, it must also conform to the outer world of things and law.

The actual man recognizes many principles of action. We have a physical side to our nature, and the healthy, natural man believes in a healthy animalism. He believes also in both virtue and happiness, in both egoism and altruism. He believes in the life that now is, and is not without some faith in the life to come. He acts upon all of these principles within certain indefinite limits, and in literature he has recorded his spontaneous convictions concerning them. Now this complex practical consciousness, as it may be called, is the raw material of ethical theory. Ethics aims to find and formulate the principles which underlie practice in order that we may better understand and guide our lives. But ethics, in its speculative desire for unity, has generally ignored the complexity of the problem and sought to reduce everything to one principle. Thus have arisen many schools with many modifications of each.

1. The virtue and the happiness school. The former fixes its attention on the inner worth and peace of the agent, and ignores outward fortune and happiness as aims of conduct. Sometimes it despises them, as in the case of the Cynics and Stoics, but more frequently overlooks them as something with which ethics has nothing to do. This is the case with most current intuitional systems.

The happiness school looks to pleasure of some

kind as the only rational end of action, and takes account of virtue only as a means to happiness. This school may vary all the way from a coarse animalism to the most refined forms of utilitarianism.

2. The egoistic and benevolent schools. The former holds that our own welfare must be our aim, and is commonly called the selfish school. This view is generally based upon an apriori theory of action which makes a desire for pleasure the only possible spring of action; and as this pleasure can only be that of the agent himself, the theory necessarily issues in selfishness. Of course, no one could pretend that all action is formally and consciously selfish, and hence it became necessary to provide for the apparently altruistic duties which no system can help recognizing. This was effected either by assumption or by logical violence. The second school makes the good of others the aim of action. In its revolt against the selfish theory, this school has sometimes gone to the absurd length of allowing self-interest no rights whatever. Both of these schools may take on different forms as the aim of life is differently conceived. The egoistic aim might conceivably be a sensual gratification, or a self-perfecting, or an intellectual good, etc. In history, however, it has largely appeared as the sensual school. Similar modifications are possible in the benevolent school.

3. A division of schools may arise also from our psychology. Thus, the mind may be supposed to have direct insight into moral principles or the true

end of action. This view leads to the intuitional school of ethics. In this school the mind is supposed to see intuitively that certain acts, or principles, or motives are right; but there is no agreement whether the intuition attaches to the act, the principle, or the motive. The only thing that is sure is that there is an intuition of something somewhere. The empirical school supposes that the mind has no original insight, but learns by experience to distinguish right from wrong, consequences being the final test.

4. Out of this distinction arises another difference. The morality of an act is supposed, on the one side, to attach to the motive or intention of the doer, and, to be independent of consequences altogether. The opposite view is that it attaches solely to the consequences and is independent of the doer altogether. Neither view furnishes a working theory of ethics, and each leads to its special one-sidedness. The former tries to study character apart from conduct; and the latter tries to study conduct apart from character. No adequate theory of life is possible on either view.

5. Again we may consider the system of ethical truth and take no account of its realization in conduct. This limitation has often led to the claim that freedom has no significance for ethics. Thus, Schleiermacher declares that we should not think differently of right and wrong, of virtue or vice, if freedom were denied. If the bad is bad by necessity, it is still bad; just as the ugly by necessity is still ugly. Others, again, as Kant, insist that ethics depends on freedom. These claims arise from

different points of view. Freedom has no special significance for ethics as a system of moral judgments, any more than it has for æsthetic judgments or logical judgments. But freedom has absolute significance for ethics as a system of precepts where obedience is reckoned as duty and merit, and disobedience as sin and demerit. It has equal significance for our judgments of the responsibility and desert of persons. Of course, freedom has no significance for ethical systems which simply study the dynamics of the desires and passions, and reduce conduct to a mechanical resultant of its antecedents. But, from narrowness of vision, these affirmations and denials, which are true for ethics only in a special sense, are both made and understood in a general sense, and the result is the barren logomachy with which the student is so well acquainted.

6. The relation of ethics to metaphysics, or to our general theory of things, is variously conceived. Some deny all relation; others affirm dependence. Both views are true according to our standpoint. Ethics begins independently, but must finally be affected by our metaphysics. Speculation does not have the function of generating our moral judgments, but of adjusting them to our total intellectual system. In this adjustment, the dependence of ethics on metaphysics appears. The connection is the same as in the theory of knowledge. Here we begin with trust in consciousness as a necessary starting-point, but at the same time we are under obligation to reach theistic conclusions to prevent collapse. So in ethics we begin with trust in our

ethical consciousness; but in the totality of our theorizing we may react conclusions incompatible with that primal trust. In that case, either the trust or the incompatible theory would have to be modified.

7. Another source of variation in ethical theory is found in the fact that in daily life duty is largely conceived in connection with religion. Thus ethical truth takes on a religious character; and this fact has greatly modified ethical theory, sometimes favorably and sometimes very unfavorably. In the form of Christian ethics, the attempt is made to discuss the entire subject from the standpoint of Christian teaching.

8. Again, systems of necessity have also produced so-called ethical systems. These have generally aimed to present the system of conduct as a fact, as an outcome of antecedents rather than a system of ideal aims. We may inquire into the motive forces of life and describe them. In this way an alleged dynamics of the appetites, passions, and desires may be elaborated, and conduct may be exhibited as a necessary result. Such a system is ethics only by courtesy, though more generally by the grace of thoughtlessness. Ethics is defined as the science of conduct; and the conventions of language are relied upon to cover up the fact that there is no "conduct" in the case. If man be a proper automaton, we might as well speak of the conduct of the winds as of human conduct; and a treatise on planetary motions is as truly the ethics of the solar system as a treatise on human movements is the ethics of

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man. Just now this general doctrine especially affects a biological form; and biological ethics is the order of the day.

These distinctions might be pursued still further, but without advantage. The leading lines of ethical division have been pointed out. Their origin is to be found in the complexity of life itself and in the possibility of viewing it from many sides. Psychological and metaphysical differences also come in. Theology and religion are not without their influence. Sometimes the field of ethics is arbitrarily limited, and sometimes the name and language of ethics are stolen outright to express the movements of alleged automata. But in this strife and confusion of theory, the practical life of man with its implicit moral principles remains. This is the raw material of all theory, and by its adequacy to express this life every theory must finally be judged. If this life be strong within us, we may even contrive to get on without a theory; and if it be lacking, we are lost whatever our theory.

The aim in the following discussion is not to build up a completed ethical system, but by a critical study to enable the reader to discern the outlines of ethical truth and the principles which underlie conduct.

CHAPTER I

FUNDAMENTAL MORAL IDEAS AND THEIR ORDER

SCHLEIERMACHER has shown that there are three leading moral ideas, the good, duty, and virtue. Each of these is essential in a system which is to express the complete moral consciousness of the race. Where there is no good to be reached by action, there can be no rational duty, and with the notion of duty vanishes also that of virtue. Again, where there is no sense of duty but only a calculation of consequences, we have merely a system of prudence. This may be good enough in its way, but it lacks moral quality. Such conduct may be natural and allowable, but it is not regarded as virtuous. For in such conduct we miss all reference to the moral agent. It is a matter of wit and shrewdness only, and is not a manifestation of virtuous character.

The three ideas are alike necessary, but, historically, there has been a tendency to recognize some one of these ideas and ignore the others. In much ancient ethics the idea of the good was fundamental, and the attempt was made to build up a system of ethics on this foundation. Of course a definition of good and of the chief good was necessary, and a vast deal of unedifying speculation resulted. Some found the good in pleasure, others in an indifference to pleasure, and others again in a rational life with

happiness or well-being as its necessary concomitant. The rule of life was laid down in such empty formalisms as, "Live according to nature," or "Follow the golden mean." This general scheme of ethical thought may be called the goods ethics, or the happiness ethics. All its forms agree in finding the reason and obligation of action in the end, conceived as a good, to which action is directed. In modern times this view generally appears as utilitarianism. Not infrequently through failure to emphasize the notion of duty, this view becomes simply a system of calculating prudence and practical shrewdness, and falls below the moral plane altogether.

The vagueness and one-sideness of this view, together with sundry unsavory inferences often drawn from it, led to a very general desire to make the notion of duty, or obligation, basal. There are certain principles of conduct which ought to rule our action. Such are justice, good-will, truthfulness, etc. To discover these we need enter upon no speculation about the chief good. They stand in their own right, and their obligation is intuitively discerned. We know that there is duty, and generally it is not difficult to tell what it is; while we know very little about the chief good. So far from deducing the idea of duty from the notion of the good, we have to determine the content of the good in accordance with our conception of duty. This general view may be called the duty ethics.

The doctrine thus outlined is that of most intuitionists, and especially of Kant. Duty is the first fact, and is a categorical imperative. It gives no

reasons offers no rewards, but declares, Thou shalt, or, Thou shalt not. So far as the expression of the actual moral consciousness is concerned, there can be no doubt that this view is much nearer the fact than the previous one. In the average moral life, the most prominent element is a sense of something to be done, of law to be obeyed, rather than an expectation of goods to be realized. Over against the one-sidedness of the goods ethics, the duty ethics, though itself one-sided as we shall see, has been of invaluable service in ethical development.

The third idea, that of virtue, has been less prominent in speculation as the basis of a system. It has often been assimilated to the others by making virtue the chief good or the sum of duty.

Schleiermacher declares that the true order of these ideas is this: the good, duty, and virtue. The good is perceived as having value in itself; and from this insight arises the duty or obligation of striving for it. When this duty is recognized and performed, we have the notion of virtue. When the performance of duty becomes habitual, we have virtuous character. The unconditional idea is the good. This makes demands upon the will, that is, produces the idea of duty or obligation. Virtue consists in the recognition of these demands and in habitual submission to them.

If only a system of conduct for hypothetical beings were in question, there could be little doubt of the truth of this analysis. The duties of an agent must lie within the limits of his well-being, and

must depend upon their relation to that well-being. Duties against well-being would be abhorrent. Duties with no tendency to further well-being would be idle and inane. But if we are to apply Schleiermacher's view to human morality, we must observe that it represents the rational dependence of moral ideas rather than the order in which they actually present themselves in consciousness. The basal fact of moral experience is much better expressed by the notion of duty than by the notion of good. We are commonly convinced that something is a duty without thinking of any reason why, and often without being able to give one. In all undeveloped lives, the apparition of duty is generally a disturber of our sentient peace, and something we would gladly escape. If we allow that there is no duty which is not related to a good to be reached, we must equally allow that the service of this good is no present pleasure. Even the dictates of self-regarding prudence must commonly appear as an imperative of reason rather than as offering an agreeable exercise. For beings with perfect insight, there might be no duty unconnected with an apprehended good; but for beings who do not know even their own true needs, the good must always appear under the form of law. This is always the case with children, and largely the case with men.

We must, then, distinguish two standpoints in ethics, the inductive and the theoretical. The former aims to discover and describe the actual form of moral experience, and the latter aims to adjust our moral ideas in a rational system.

For the former, the first fact is the notion of right and duty, unconditional imperatives. It is this fact which constitutes the strength of the duty ethics and of all rigoristic systems. Historically, too, the affirmation of such unconditional duty has been of the utmost value in restoring tone to the moral nature. The goods ethics occupies the other, or theoretical standpoint. It asks what the laws and duties are for, or to what they tend. It observes that these unconditional duties are not always in accord with visible prudence and self-interest, and it insists that unless they can be connected with some good which cannot otherwise be reached, they lose all rational authority and sink to the level of blind instincts which somehow have lost their way. To an understanding of the ethical life it is necessary to keep these two points of view distinct; and if we are to have an adequate theory of conduct, we must take account of both.

In the established round of conventional life, the duty ethics has to be made prominent; for here duty is commonly plain, and unwillingness to perform it is the great practical difficulty. We have then to forbid with all emphasis the selfish casuistry which tries to argue duty away in the name of hypothetical consequences, as such casuistry is founded in inward dishonesty. In such cases we cannot assert too strongly the categorical nature of duty. But, on the other hand, in enlarging and correcting and justifying our code, we have to fall back upon the goods ethics. Indeed, the duty ethics is manifestly distinct from the goods ethics only in those conven-

tional cases where duty is agreed upon, and where only the disposition of the agent is in question. As soon as the most rigoristic moralist finds himself in a new field, he tacitly betakes himself to the goods ethics. In general, when the duty ethics ignores the goods ethics, it tends to formalism and etiquette in which the unconditional sacredness of its imperatives becomes absurd; and when the goods ethics ignores the duty ethics, it sinks to the level of practical shrewdness and loses its moral character altogether.

The two grand divisions of ethical philosophy are now before us. One seeks to found the notion of duty in goods to be reached; the other seeks to make duty an absolute self-sufficing imperative. If it be deduced from anything it must be from the nature of the moral subject, and not from any consideration of external ends. All other divisions are psychological rather than ethical. They concern the nature of the moral faculty, whether it is allied to sense or understanding, whether it is original or derived, etc. All such questions should be finally remanded to psychology; and indeed, even there they are mostly questions of words and classifications. If we should decide that the moral faculty belongs to the sensibility rather than the understanding, that it is a modification of sympathy, that it is a special sense, or even that there is no moral faculty but only a special action of the judgment, we should have nothing of value for either theoretical or practical ethics. Our moral nature remains

what it is, whatever we may call it; and our duties are what they are, whatever our psychology of the moral nature, and whatever our ancestors, pre-human or sub-human, may have been.

We have already expressed the conviction that the two great divisions of ethics mutually imply each other, if the full moral consciousness of mankind is to find expression. This conviction will be strengthened by considering their respective claims more at length. And first let us listen to the goods ethics.

Moral action must come under the head of rational action; and action to be rational must have some end beyond itself. Action for form's sake, action which ends in itself and leaves things where they were before, would be irrational and inane. But the end to be rationally obligatory must be a good of some sort. There can be no obligation to mischievous action. There can also be no obligation to indifferent action. Hence, the ground of obligation to action must lie in some good to which the action is directed. All political and social legislation, all practical rules in family and personal life owe all their rational authority to the good to which they are directed, or to which they are necessary. Laws and rules for form's sake would be an intolerable impertinence. What is true for these subordinate laws is equally true for the supreme law of life. It also must be directed toward a good and must find in that good the ground of its authority. As the deepest thing in society is not a law, but a set of social and personal goods to which the law is instrumental, so the deepest thing in the moral life

cannot be a moral law, but some good or goods to which that law is instrumental. And as in society laws which are purely formal are set aside as barren etiquette or unwarrantable interference with personal freedom, so a moral law which is purely formal must be set aside as having neither authority nor sacredness. Our constitution makes certain goods possible, and there are certain laws necessary for reaching them. Now our duty must lie within the range of these goods and laws; and the notion of obligation beyond this range reduces duty itself to an absurdity. By emphasizing this, utilitarianism has done great good and has been an important factor in moral progress.

It is plain that if ethics is to be rationalized, we cannot rest in a law as ultimate, but we must look to ends. Yet we should greatly deceive ourselves if we fancied that the preceding argument, even allowing its impregnability, much advances the solution of the practical problem. For it only says that, to be obligatory, action must tend to good, without giving us any hint, however, of what this good is, or how or where it is to be sought. Most ethical questions remain just where they were before. Thus, does the good consist in action, or in passion, or in a certain union of both? Is it found in the moral nature, or in the merely sensitive nature, in physical gratification or in intellectual satisfaction, in the joys of the affections or in moral aspiration, a pure heart, and a restful conscience? Again, is the good one or many? Are there grades of good? Are all goods obligatory, or are some of them op-

tional? How do we discover the good and the method of realizing it? By experience and calculation, or by insight and the direct voice of conscience? And whose is this good? Is it my good, or your good, or the common good? These questions find no answer in the claim that the end of action must be a good; and yet they carry the chief part of the moral problem with them, and about all of the distinctions between ethical schools. Again, the claim that the justifying ground of moral law must be some good to which the law is directed and for which it is conditional, by no means implies that the good must always be seen; it may only be believed in. Meanwhile the law may present itself with an imperative force which forbids all tampering with it. It is oversight of these complications which leads the amateur speculator to fancy that all problems are settled by saying that the notion of duty pre-supposes some good to be reached.

Nevertheless, though not all-explaining, the formal principle itself cannot be escaped if ethics is to find any rational basis. This is shown by the general course of intuitional ethics. Writers of religious position have generally found it necessary to provide a "sanction" of some sort, because, as they have alleged, virtue and happiness in the visible government of the world have no necessary connection, and such a connection there must be to make it worth while to be good. Other writers who have maintained a purely speculative position have found themselves compelled to resort to sundry extra-ethical assumptions to escape collapse. Thus Kant

was forced to posit God, immortality, and heaven to prevent his doctrine from falling asunder. A perpetual divorce between virtue and happiness seemed to him a moral absurdity, although in determining the notion of duty and the contents of the moral consciousness, he would allow no appeals whatever to consideration of results, and insisted on the pure moral form of action as the only thing to be taken into account. This rigorism was historically very important as a reaction against the selfish and sensualistic ethics which sprang out of the Lockian empiricism, but it was itself equally one-sided.

The same necessity of looking beyond form to ends appears in Kant's fundamental law: Act so that the maxim of thy conduct shall be fit to be universal law. Kant here emphasizes one demand which a calculating ethics is apt to overlook, and which over against the selfish tendencies in conduct is of the greatest importance. It will always help to insight, in the decision of practical questions, if we ask ourselves, Should we be willing to have all men do the same thing? or would there be any practical absurdity in making the principle of our action universal? In this way the presence of selfish partiality or inward untruth may be detected; and as these, rather than ignorance, are the great sources of evil conduct, the impartial application of Kant's principle would make it practically very fruitful. In a settled life, duty is generally plain for those who are willing to see it. In such a life also nothing works more disastrously than a calculating casuistry under the guidance of inward dis-

honesty. It is always possible to figure out quite a case for the basest and most infamous crimes.

We cannot, then, over-emphasize the categorical imperative in its own sphere. For the individual whose scruples arise from a selfish unwillingness to recognize duty, the categorical imperative is the only prescription. But Kant's principle as the basis of a code by no means escapes reference to an end. If it be indifferent what comes out of conduct, any principle whatever can be made universal. So far as the causal carrying out of a principle of action is concerned, any and all are fit to be universal law. The only ground of distinction between possible principles of action, then, must lie in the ends to which they are directed. Without an implicit reference to some end, Kant's formula is utterly empty, and applies to any one principle of action as well as to any other.

If, then, we ask how we come to believe a certain course of conduct right, the answer might fall out variously, according to our psychology. But if we ask why we believe it to be right, it would seem that we must at last fall back upon its tendency, known or believed in, to promote well-being. This conclusion would still be necessary, even if the conviction were instinctive; for reason reserves the right of revising our instincts and of inquiring what they mean, and what they are going to do with us. As an instinctive appetite for a certain kind of food would be ruled out if it contradicted established physiological science, so an instinctive code would be set aside, if it turned out to be empty or injurious.

Thus the goods ethics seems to carry us along with it, at least so far as action is concerned which looks to the production of effects. Whether there be conduct which aims simply to express a character will be considered further on. Meanwhile it is plain that the great bulk of duty refers to some form of productive activity; and here the only assignable rational ground of obligation lies in its relation to well-being. But now we come upon the following exposition from the side of the duty ethics, which seems to exclude the goods ethics altogether.

Action may be considered in its consequences or in its motive, as producing effects or as expressing a disposition and character. In the former relation action may be wise or unwise, prudent or imprudent, a success or a failure. Only when considered in the latter relation is it moral or immoral. Action as wise or unwise depends upon its relation to the system of law in which we live; action as moral or immoral depends upon its relation to a subjective ideal of right and wrong. The ideal order would be that action should spring from a right principle of action and should then be guided by perfect knowledge to the best results.

Thus we seem to be introduced to a distinction between judgments of wisdom, or folly, and properly moral judgments. The former refer to consequences, and the latter to motive and character. The former apply to action abstractly considered as the production of effects in the world of reality; and the latter apply to it only as an expression of personality. And this distinction seems abundantly

justified by the moral consciousness of men. Our moral judgments are mainly judgments of will and purpose; and when the principle of action is understood, our judgment is immediate and irreversible. The only use we make of consequences in reaching a judgment is to find what the ruling principle probably was. When the act is of a well-understood class, we judge it so immediately that the abstract act, and not the person or the motive, seems to be the object of judgment. That this view is correct may be seen by varying any of the elements of an action, but leaving the motive the same, or, conversely, by changing the motive and leaving all else the same. In the former case the moral estimate is unchanged; in the latter it is reversed. No failure of a right purpose leads us to morally condemn the act or the actor; and no unintended good results of a selfish aim lead us to praise the agent. All whitewashing of unsavory characters takes the direction of showing that they had other aims and motives than those attributed to them. We must, then, distinguish between the moral judgment of an act and the estimate of its prudence, etc.

Moral action, then, has two factors, a certain content and outcome which may be objectively estimated without any reference to the person whatever, and, next, a moral character which can only be subjectively estimated. When an action springs from a will to do right, we view it as morally right, whatever its other shortcomings may be; and when it springs from any other motive whatever, it is

morally imperfect, and may be morally wrong. Action into which the moral element does not enter is morally indifferent. This is the case with all forms of activity which do not reveal character, but only skill, faculty, address, and their opposites. Where only these elements are in play we regard the act as without moral quality. The person may be shrewd or sagacious, but he is not a good man on that account; or he may be weak and silly, yet without being wicked. But in action which is to be moral, we demand more than a consideration of results; we demand a right motive apart from any consideration of results. Where this is absent, we decline to admit the goodness of the act; as when one does works of apparent benevolence but with a selfish aim, or omits crime, not because it is wrong, but from a fear of punishment. Right action may or may not have external success, but it must have a right internal spring, or a right moral form.

If we were unable to deny much force to the reasonings of the goods ethics, we are equally unable to deny a like or even greater force to this exposition from the side of the duty ethics. The distinctively moral element seems to lie somewhere among the springs and motives of action. A doubt arises, however, whether a concrete theory of conduct can be constructed on this basis. To begin with, the considerations urged apply only to our judgment of the agent and in no way decide whether the act itself was fit to be done. They do not help us in constructing a code. The rightness or wrongness

of a code depends upon its relation to well-being. The morality of the person depends on his motives, but the morality of a code depends on its consequences. Good intentions may indeed excuse past mistakes, but they do not make them any the less mistakes. To allow the intention to justify the deed, as well as excuse the doer, would reduce ethics to complete barrenness. The sum of ethics would then be comprised in the one precept, Do right; and this in turn would become, Always mean to do right. Indeed it is a common admission with writers of the intuitional school, that the idea of right is the only contribution of the moral nature, the application of the same being entirely due to the judgment as informed by experience. Thus by a roundabout way they come out unexpectedly into utilitarianism. Either we must look beyond form to contents, or ethics shrivels into a perfectly barren doctrine of good intentions.

The same concrete acts, externally considered, may indeed spring from a right motive or from a wrong motive, and may be of opposite moral quality accordingly, but this is far from proving that the good will, that is, the will to do right, can be abstracted from all consideration of ends beyond itself. This abstract good will is an empty figment. Without doubt the good will is the centre of the moral life, but the good will must will something. In order to manifest itself at all, or even to exist, there must be a series of objects, themselves good or bad. These may consist in states and capacities of the person, or in the elements of the environment; but

without them, volition of any kind would be aimless and impossible. If the objects were indifferent in themselves, the good will would be shown no more in willing any one than in willing any other; and action would be inane and irrational in any case. Plainly the good will can exist only as a series of things exist which are good in themselves. These natural goods make the good will possible, and the good will is made actual in their choice and realization. The good will which wills nothing good would be contemptible, if it were not a contradiction.

It was the emptiness of all purely formal ethics which led to Jacobi's famous protest in his letter to Fichte:

"Yes, I am the atheist who, in defiance of the will that wills nothing, will lie, as Desdemona dying lied; will lie and deceive, as Pylades pretending to be Orestes; will murder like Timoleon, break law and oath like Epaminondas and John De Witt, commit suicide as Otho, and rob the temple as David; yes, pluck ears on the Sabbath, and that, too, because I am hungry, and the law was made for man and not man for the law."

Leaving Jacobi to answer for himself, it is plain that no sufficient law of life can be found in formal ethics alone, and that we must look not only to form but also to ends and outcome. Plainly no law can be rationally obligatory which is opposed to the true well-being of the agent. Such a law, if imposed from without, must be resented as injustice; and if it seem to be imposed from within, it can only be regarded as the outcome of a blind in-

stinct which has lost its way. The law arising from the conditions of well-being is the only law that can rationally or justly be imposed upon any being; and if there should be any opposition between this law and that arising from considering the form of conduct, our ethics could be rationalized only on the supposition that at bottom both laws are one. If there should be an irreconcilable opposition, the law of well-being has precedence over the law of form. It is the apparent indifference, and sometimes opposition, of these laws which gives rise to the duty ethics and the goods ethics; whereas the two must be combined before we reach any complete moral system. Duty ethics taken alone is an unlawful abstraction resulting from considering the good will apart from its conditions and objects; and the goods ethics taken alone is an equally unlawful abstraction resulting from considering conduct apart from the living subject. The good will must aim at well-being, and well-being is realized in and through the good will.

It is this unlawful putting asunder of things which belong together that gives its chief significance to the question as to the ground of obligation. It is claimed that a thing should be done, on the one hand, because it is right, and, on the other, because it tends to well-being. But if the act be considered in abstraction from the will and purpose of the actor, no one can tell what he means by its being right in distinction from its beneficent tendency. If then one falls back on the good will as the ground of its rightness, he is still bound to tell

what it is in the act which fits it to be an expression of the good will; and this also must be sought in its beneficent tendency. Doing a thing because it is right by no means consists in doing it because no rational reason can be assigned, but in doing it because the impartial and unselfish reason commands it.

But when the goods ethics, on the other hand, finds the ground of obligation in consequences only, it is bound to take all consequences into account; and of these the most important are to be found, not in the external world, but in the reaction of the personality upon itself. The goods ethics has often shown a tendency to ignore subjective consequences and to regard conduct as right which promised no external mischief. The moral personality has been ignored as an end; and passive pleasures and objects quite external to the personality have been proposed as the sole goods of life. Indeed, some have carried this so far as to value the moral person himself only for his utility, so that finally we esteem the good man for reasons essentially the same as those for which we esteem a pair of overshoes. Such extravagance is one chief source of the disfavor of the goods ethics with the common conscience. Virtue has been measured by its market value; and this the duty ethics has resented by declaring that virtue has no value whatever. Both claims are about equally absurd; yet both claims will continue to be set up until it is seen that the duty ethics and the goods ethics mutually imply and supplement each other.

A prolific source of error in this matter has been a confusion of the doctrine of goods with a coarse utilitarian conception which looks only to external and marketable values. Hence many have thought that the goods ethics holds that intellect, wisdom, learning, and virtuous character are good only because of what we can make out of them. A developed and finished intellect is not a good in itself and for itself; but has its value solely in the fact that it may help us to get on in life, to command a salary, or to win a high position. A similar measure applies to character. But this is caricature. There is nothing in the goods ethics to forbid the claim that these things are valuable in themselves without any reference to extrinsic ends. They are intrinsically good.

We may conclude this matter by reaffirming Schleiermacher's position that the good, duty, and virtue are the fundamental moral ideas, and that their order is that just given. There must be goods of some sort to give duty any rational meaning; and the free and loving performance of duty is what we mean by virtue. Any system which ignores any of these elements necessarily fails to express our full moral life. The duty ethics and the goods ethics are to be reconciled in the following conception: Our constitution makes various goods possible. These are the various forms of well-being founded in the essential structure of our minds and in their external relations. As such they are natural, and not moral. They are not expressions of

character, but only of our nature. But while themselves only natural, they furnish the condition of all moral activity. They do not realize themselves. Our nature does not move unerringly to its goal. For this there is needed the activity of the free spirit. When these goods are seen in their value and obligation, and the free spirit devotes itself to their realization, we have moral activity. But this activity is not something which has ends of its own apart from nature; it is rather superinduced upon nature; and its aim is to lift the natural to the plane of the moral by setting the stamp of the free spirit upon it. The moral is the natural, glorified and realized by rational freedom. This view reconciles the law of duty and the law of happiness, and brings unity into life. The moral and the natural are no longer mutually exclusive realms, but the moral is the natural under the moral form. The function of freedom is not to change the laws of our nature or to give them a new resultant, but rather, freely, lovingly, and thus morally, to realize the goods and ideals shadowed forth in our nature.

This matter may be re-stated in terms of the familiar distinction between the formal and the material rightness of action. The former depends upon the attitude of the agent's will toward his ideal of right, the latter depends on the harmony of the act with the laws of reality and its resulting tendency to produce and promote well-being. Conduct which is formally right may be materially wrong; and conduct which is materially right may be

formally wrong; but no conduct can be even formally right when the agent does not aim to be materially right. The ideal of conduct demands both formal and material rightness; and as long as either is lacking the outcome is imperfect. The material rightness, however, is independent both of the agent's will and of his knowledge; and all that the agent adds to it is simply the formal rightness of the good will.

From this standpoint we can understand some facts which have often proved puzzles in ethical speculation. If one does "the best he knows," it is often said nothing more can be demanded of him. And yet it is plain that this formal righteousness is altogether insufficient for the person's well-being. The reason is that the law of well-being is independent of our will. If we misconceive that law and act accordingly, we may be formally right, but because of the misconception we should be materially wrong. It is, then, by no means sufficient that one be formally right, that is, true to his convictions of duty; he must also be materially right, that is, in harmony with reality and its laws. Formal rightness, of course, is ethically the more important, as it involves the good will; but material rightness is only less important, as without it our action is out of harmony with the universe.

How much use can be made of these results in studying the concrete problems of human life is very far from clear. As long as we confine ourselves to the abstract notions of duty and virtue, it

seems plain that they pre-suppose a system of goods and well-being as their condition. But it may turn out that our nature is so complex that this result while abstractly true is practically worthless. But before proceeding to this inquiry, we may notice some of the peculiarities of ethical theory on which our previous study throws some light.

Because the moral character of action centres in the will to do right, it has been concluded that ethics need take no account of consequences, and has only to do with will and motive. "Relations of will" are said to be the only proper subject of moral judgments.

We have already expressed our disagreement with the first part of this claim. The latter part has a large element of truth in it; for our leading moral judgments are judgments of will; but the claim as a whole is too narrow to express the complete moral consciousness of mankind. We judge not merely the will but also the sensibilities, not merely the action but also the tendencies and spontaneities of the being itself. We demand not only that the will be right, but that the affections and emotions shall be harmonious therewith. Indifference to right, complacency of feeling toward evil, enthusiasm for the insignificant are states of moral imperfection upon which we pronounce judgment as certainly as upon abnormal relations of will. The will is not the whole even of the moral man. In such cases we get a hint that the standard of moral judgment is not so much a conception of right volitional relations, as it is an ideal of perfect

manhood, which of course includes the right relations of will, and much more besides. The claim that the will is the only subject of moral judgments is true only for the ethics of responsibility and of merit and demerit. But a complete ethics must consider the whole man and the whole field of life. Being, as well as doing, or rather even more than doing, is to be considered in ethics.

Another error which has arisen from the same separation of form from contents is a relapse into outright immorality. Since the moral elements of conduct lie in the intention, all else being non-moral or indifferent, it follows that we have only to direct the intention in order to fulfil all righteousness, and avail ourselves of all the extra-ethical satisfaction which the world, the flesh, and the devil may provide. This conclusion is by no means unknown in ethical speculation and practice. Some of the Stoics justified gross sensual indulgence on the ground that it had no stain for the pure spirit, while some forms of ecclesiastical ethics, building upon the theory that morality is purely a matter of intention, have confounded all moral distinctions. Such results have often made practical men both suspicious and impatient of ethics as a doctrine of intentions. Doctrinaires with good intentions have wrought great mischief. Philanthropists have slaughtered and massacred for humanity's sake, while for the glory of God the direst atrocities have been perpetrated. The history of ethics shows two extremes. In one case, as in the Greek drama and sometimes in religious rites, the quality of the

act is determined by its external form without any reference to the motive of the doer. The case of Œdipus serves as an illustration. In the other case, the motive is considered in entire abstraction from reality, an abstraction which is psychologically impossible and ethically absurd. Indeed this distinction of form and contents has never been allowed without limitation by the common consciousness. Certain duties spring so immediately and inevitably from the universal relations of life as to be viewed as absolutely right in themselves, and their antithetical crimes as wrong in themselves. In such cases the common conscience has never allowed the distinction of form and contents, except on the assumption of insanity. Elsewhere it is valid.

This distinction also enables us to understand a claim made by the duty ethics, notably by Kant, that no action is morally right which is not done from a sense of duty. Kant insists that action done from affection, or desire, or as the outcome of any constitutional instinct, is pathological and not moral. At first glance this seems an atrocity; and to do things from a sense of duty without any love for the work appears as the lowest stage of moral development. To replace affection in the family as a spring of action by a sense of duty would not seem to be a moral progress, and would not make the life of the family either more lovely or more happy. And yet there is truth in Kant's claim; and that truth is the fact that no conduct is morally perfect which does not have a right moral form. Mere constitutional affection which sees and wills no uni-

versal principle, but yields itself to blind instinct, is neither moral nor rational, and differs essentially in nothing from similar manifestations in the animal world. The lack of principle in such cases is often shown by the blindness of the affection to the real good of its object, and by the hard-heartedness, amounting even to brutality, which may co-exist with it.

Instinctive sympathy, again, so far from being a sufficient security for right action, is very often the pronounced enemy of righteousness and justice. It furnishes a natural impulse to the good will, but unless directed by moral insight it is very apt to lose itself in immoral sentimentality. This is especially the case in the matter of punishment. Here, unless the sense of justice is supplemented by animal rage or selfish vindictiveness, it often comes to naught. It is only insight into moral relations and principles, and a voluntary submission to their obligations, which can give our conduct a properly moral character and standing. Even the blind impulses of natural affection must be lighted up by moral insight and by the free and conscious self-devotion of the agent. But this insight, on the other hand, by no means implies a reluctant will and a cold heart—which is what acting from a sense of duty generally amounts to. The insight for which we contend may co-exist with any warmth of affection.

But the Kantian claim has not always been thus restricted, but has been exaggerated into the gloomy view that duty to be rightly performed must

be reluctantly performed. It is this exaggeration which called out Schiller's well-known lines. The scruple is thus expressed:

"Gladly serve I my friends, but do it, alas, with affection:
And hence I've a gnawing suspicion that I'm not virtuous yet."

The solution runs thus:

"Help except this there is none: you must seek and strive to despise them,
And with horror perform whatever the law may command."

The narrowness and falsity of this view are evident. We demand not merely the submission of the will but the harmony of the desires and affections. We demand not only a volitional submission to the right but also an interest in it; and we further demand that our interest shall be proportionate to the value of the thing aimed at. Intense devotion is allowable only for the highest things. Indifferent aims must be treated with corresponding indifference; and unimportant aims must not be exalted into significance. The mistake we are dwelling upon has also given rise to the surmise that the heavenly life can hardly be a moral life at all, owing to the assumed lack of disinclination to active righteousness.

Finally, the distinction of formal from material rightness contains the solution of another traditional difficulty. It is said that consequences cannot be the ground of the moral character of actions; for consequences are infinite and hence beyond any knowledge or calculation by us. Hence to set up such a standard is to deny that we have any standard. To

this we reply that consequences do not determine the formal rightness of conduct. That depends upon the attitude of the person toward his ideal of duty under his actual circumstances. But for the material rightness of conduct, there is no standard except consequences, which does not reduce conduct to barren etiquette. Even if we fall back on the will of God, we can only regard this as the ground of our knowing, and not as the ground of the thing's being right. Further, the objections drawn from the infinitude of consequences is more verbal than real. It applies as well to prudence as to moral action. The prudent action is measured by its consequences; and as these are infinite, there is no prudence. The fallacy is apparent. The formal virtue of prudence is an attribute of character. The concrete realization of this formal virtue must depend upon a study of such consequences as are open to our inspection and insight. In like manner, the formal virtue of virtue is nothing but the good will or the will to do right. But in realizing this good will we have to take account of consequences; and when experience has revealed little or nothing concerning consequences, our judgment of the right thing to do is wavering and uncertain. This is the chronic condition of our code when extended to new fields where the best application of principles is not at once manifest. Consequences are the criteria of material rightness; but to the agent belongs the duty and the merit of its realization.

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CHAPTER II

THE GOOD

It is extremely easy to write abstract ethics for hypothetical beings. Dealing with moral ideas in the abstract, it is plain that the fundamental conception is the good, and that duty must derive all its obligation from its relation to the good. Dealing with our hypothetical beings, it is equally plain that their duties must all be determined by the laws and conditions of their well-being. Hence we need only study these laws and conditions to get perfect insight into the nature and range of the resulting duties. But while this is perfectly clear and final when abstractly considered, it is not so satisfactory when concretely applied. For, as pointed out in the previous chapter, we often find strong convictions of duty which are not consciously connected with any apprehension or expectation of goods to be reached; while in many lives, duty, so far from being the way to happiness, seems rather to be the chief enemy of our peace. Moreover, our insight into our own nature is so slight that we are quite unable to deduce any significant law of conduct from self-analysis. Finally, the future is so hidden from us that we have no such knowledge of the goods possible to humanity as would enable us to lay down with any certainty the law of life. It is

perfectly clear that the duties of life must lie within life itself; but when we attempt to apply this axiom to man, we find ourselves unable to define the range of life and its possible contents. In order to do this we must know the relation of death to personal existence; and until we know this, our axiom remains of uncertain application. If we assume that death ends all, it gives us one result; if we assume that death does not end all, we may get another result. Manifestly, unless we can tell what the good is, our abstract ethics, however true in theory, must be practically worthless. What, then, is the good?

It is conceivable that there should be beings of simple nature, or of perfect insight, to whom such a question would present no difficulty. Their good and the resulting law of their being might be perfectly manifest, either because of the simplicity of their nature or because of their developed intelligence. But in the case of man the variety of answers to the question concerning the good leads us to suspect that the matter is more complex and difficult than appears. At first it seems sufficient to say, The good is the desirable. If, then, we ask what men desire, we shall find the good; and if we ask what they supremely desire we shall find the chief good. This seems rational and promising. We have but to observe life to find the good, and then by reflection and calculation we may deduce the law for its realization.

Unfortunately, the moral problem is not thus simple. There are goods and goods, and withal men sometimes desire things which they ought not. To

admit that the actually desired is the ideally desirable, or the morally permissible, would be to justify every form of conduct and would render ethics needless. The Indian who burns to take many scalps, and the sot who desires an incessant debauch would be as moral as any one else. But every form of ethics inquires less what men do desire than what they should desire; and every system is forced in one way or another to distinguish between the spontaneous life of instinct and impulse and the ordered life of reason. We must, then, inquire what the good is, and how and where it is to be sought.

But first of all a word must be said about the nature of goods in general, and the place and mode of their existence. Both schools of ethics have fallen a prey to misleading abstractions at this point which have been a perennial source of confusion.

Nothing can be a good except in relation to the sensibility in its most general meaning. If we conceive all elements of feeling struck out of existence, no reason can be given for calling a thing, or even the universe itself, good rather than bad or indifferent. Pleasure and pain would be non-existent; and no state of things would have any more significance than any other state. Even the value of the mental life does not consist in the simple indifferent passage of ideas through a colorless consciousness, but rather and only in the peculiar satisfactions which the mental life brings with it. The sensibility is the condition of all values of whatever kind; and the sensibility is the proper seat and home

of all values. There may be objects which are specially fitted to arouse the sensibility, or which are even the necessary condition of the same; and these we may call goods in themselves because of this relation, but their value is made actual only in the sensibility.

So, then, there is no evil but pain and no good but pleasure! This result admits of an easy misunderstanding, since pain and pleasure are often limited to passive physical feelings. Hence, in addition to pleasure there are other goods of happiness, excellence, blessedness. In addition to pains there are evils of unworthiness, demerit, degradation. Of course if pain means only the ache, and pleasure only the thrill, of a nerve, the objection is valid; but the other terms put in their place are manifestly goods or evils only in the sensibility. It is only a question of terminology.

A more common misunderstanding is as follows: The common element in all good is pleasure, and goods differ only in the amount of this common element. By varying this element in its various dimensions of intensity and duration we may pass from any form of good to any other, or at least we may get equivalent values for any good whatever. The difference among goods consists entirely in the relative amounts of this common pleasure which they produce. This view seems to introduce a great simplicity into ethics. The unconditional good, the good in itself, is pleasure, and all else is instrumental for its attainment. This is true even for virtue itself, which is not an end but only a means. Some

things are better than other things because they produce more pleasure. If now we can determine the equivalents of our various objects in units of pleasure, we may by comparing them determine at once the rational order of life.

Unfortunately, this simplification is purely fictitious. It rests upon the old realistic fallacy of mistaking logical terms for real things. The terms pleasure and pain are the same in their respective applications; but the thing is not the same. All sensations are members of the common class sensation; and yet there are different and incommensurable classes of sensations, as colors, sounds, odors, sensations of temperature, pressure, etc. Their union in a common class makes no identity and removes no difference; least of all would it be possible to deduce actual sensations with their specific differences from the logical class sensation. In the same way, there is no pleasure and pain in general, just as there is no sensation in general, but only pleasures and pains of specific quality and degree, just as there are only sensations of specific quality and degree. A certain scholastic was not content with apples, pears, etc.; and insisted on having fruit in general. Psychology has not yet advanced beyond this point. It has not learned that a feeling is what it is, and that no amount of classification can make it anything else. The universal feeling or sensation continues to be the raw material out of which all special and specific feelings are generated, commonly by evolution through a continuous process of differentiation and integration.

One cannot sufficiently admire the insight which finds in such verbalisms a contribution to philosophy rather than the dictionary.

Further, the satisfaction which things bring us takes always its specific coloring and quality from the thing and is inseparable from it; so that to desire the satisfaction apart from the thing is absurd, and its realization is impossible, much as a smile would be apart from a smiling countenance. The satisfaction indeed, represents no arbitrary creation of our own mind, but rather the value which the thing in question has for us. The pleasures of the table, the comfort of good health, the good feeling attendant upon physical exercise, the joy of knowing, the delight of the affections, the peace of conscience,—all of these take their color or quality from their objects, or from the phase of life revealed in them, and have nothing but a class name in common. The common pleasure to which they all minister in varying degrees has the same existence as the abstract animal, which is neither horse nor cow, etc., but simply animal.

The doctrine of goods, then, says nothing about the possibility of reducing all goods to a common measure. This is merely a deduction founded on a logical error. No more does the doctrine imply that the subjective value of things can be separated from the things themselves. This is a psychological fiction. Values are indeed subjective, but they are values of elements objective to us, or to our volition. This fact in ethics is the parallel of a cor-

responding fact in æsthetics. Beauty as such is only subjective, but it is always objectively conditioned; and the æsthetic judgment, therefore, represents also an objective fact, namely, the æsthetic value of the fact in question. Again, the perception of beauty is never of beauty in general, for there is no such thing; there is rather the beauty of this or that specific thing. All beautiful things please, that is their common element; but each beautiful thing pleases in its own peculiar way. It would be absurd to propose to strip the beauty from the thing and contemplate the beauty by itself; for the beauty is just the beauty of that thing. The application is obvious. The mind, while the condition of all beauty, does not carry in itself the principle of distinction between the beauty of different objects. This must be found in the objects themselves. The æsthetic value of different things is different. So in the case of goods. Though the sensibility is the condition and seat of all goods, yet it does not contain the ground of distinction between different goods. This must be sought in the objects themselves.

This fiction of a common pleasure in all desirable experiences has been the ground of numberless mistakes in ethics and renders worthless not a little of our ethical literature. Many happiness moralists have decided that pleasure is pleasure, and that pleasures differ only in degree and duration. The qualitative differences having disappeared in the indifference of the class term, these theorists found only quantitative differences left. Then they sought

to bring their theory into harmony with the moral convictions of developed humanity by showing that, taking all the dimensions of pleasure into account, the so-called virtues are the road to happiness. We must prefer mild and temperate satisfactions to the more intense and unbridled, for when we consider the relative certainty, duration, cost, and consequences, the former outweigh the latter. In this way an arithmetic of the passions was produced by Bentham, with the aim of enabling one to reckon the value of competing pleasures. Of course, this arithmetic is absurd if pleasures are specific and incommensurable. At best it could apply only to competing desires of the same class. Kant also denied the specific difference of pleasures. They may be more intense, vivid, delicate, but essentially they are all of the same kind. The reason given is that we can compare them and prefer one to another. But this reason would prove that duty and pleasure have common elements; for comparison and preference are equally possible here.

On the other hand much mistaken polemics against the happiness ethics has arisen from the same blunder. The end of action was declared to be action, or perfection, or order, or harmony, or system; and these ideas were carefully distinguished from happiness. This was due partly to the fact that their opponents had taken a somewhat sensual view of happiness, and partly to a desire to found ethics on "ideas of reason," instead of affections of the sensibility. At the same time no one could tell what rational ground for action these ideas offer

apart from the perceived and desired value of their contents. A purely formal perfection, for instance, which did not enhance the conscious well-being of the subject would be a worthless inanity, if not a contradiction. The truth is, there is no way of defining the perfection of an agent except in terms of its well-being or happiness. Those ideas, then, which are opposed to happiness are really inseparable from it; and the attempt to separate them, as if they offered aims independent of all relation to happiness, rests on a fiction of abstraction.

The conclusion is that there is no possibility of constructing a system of ethics without taking the sensibility into account. The separation between the sensibility and the reason results from mistaking the theoretical divisions of psychology for real divisions in fact. In this way the reason has been set apart for colorless knowing, while the sensibility has been limited to blind feeling, and the will has been restricted to unmotived and unintelligent willing. These realms have been further marked off by fixed frontiers without any interpenetration. With such a psychology, confusion could not fail to arise. But this is illusory. There is no pure knowing and no pure feeling. The reality is always the actual life with its manifold phases, which, however, are not the components out of which the life is built, but rather the forms in which the one basal life manifests itself. All values, all goods, must finally be expressed in terms of the conscious well-being of the living self—in other words, in terms of happiness. Those for whom happiness always

means passive or physical gratification will do well to substitute well-being. In general our psychological terminology is very imperfect, and especially so in this field.

But even yet we have no practical guidance. We are simply forbidden to find the good in any impersonal objects or forms, or anything else whatever which fails to minister to the well-being of conscious life; but the positive content of the notion remains as dark as ever. Once more, then, what is the good?

Historically, the answers are various. Some have found the good in pleasure (hedonism); others have found it in happiness (eudemonism); still others have found it in superiority to both pleasure and happiness (cynicism, and to some extent stoicism), and others again in personal dignity and excellence or virtue (current intuitive systems). The first two differ from each other only by agreeing to limit pleasure to momentary gratifications, mainly physical, while happiness is understood to mean well-being of our entire nature. If we chose to distinguish again, we might mark off blessedness as a third and higher aim; and this has, in fact, often been done. But such distinctions are arbitrary and verbal.

For each of these conceptions something might be said. For a being capable only of momentary and isolated gratifications, such pleasures would be the only good. If man be such a being our system must be hedonism. But if man be a being capable of

looking before and after, and needing to give some unitary aim to his practical life, we must advance to eudemonism. Again, if our well-being were only objectively determined, we need not look within at all; but a being whose happiness is largely determined by the reaction of the personality upon itself cannot rest in an objective eudemonism. It is this conception of eudemonism which accounts for most of the disfavor with which it has been regarded. The grounds of happiness have been sought without, and the significance of the personality within has been overlooked. Such a eudemonism looks only to outward fortune and ignores the demand for inner worthiness on the part of the moral subject. Even cynicism is intelligible and praiseworthy as a revolt against a theory which would find the end of life in outward gratifications. We have now to inquire how these conceptions of the good apply to the case of man.

Our nature makes a great variety of specific momentary gratifications possible. Such are the pleasures of sense in general, and a great variety of social satisfactions also. It is, too, both natural and rational to seek them. They lie at the foundation of our lives, and indeed form a necessary part of life itself. Let us say, then, that pleasure is the good, and that the function of ethics is simply to find the method of realizing it. This is the hedonistic position.

This view has several attractions for the speculator. First, it rests upon the undoubted fact that

pleasure is a good; and, secondly, it seems to do away with the need of any moral insight or standard beyond experience itself. Besides, by beginning with the lowest forms of sensibility, it gives a fine chance for developing the higher forms of moral feeling from the non-moral forms of animal sentiency. Finally, fatalistic ethics can use this view for a foundation. We have but to assume that pleasure determines desire and desire determines will, to have apparently a simple and compendious theory of conduct on a deterministic basis. With all these attractions, it is not surprising that the view should have had large currency. Nor is it necessary to deny its validity for a considerable share of our life. In developing, and also in mature, life, there is a large factor of automatic action to which this view fairly well applies. The difficulty arises when it claims to be a complete philosophy of action.

In order to give the view any definiteness we must limit pleasure to the various affections of the passive sensibility. These are the goods of life; and the aim of action is to realize them. Without this limitation, the view would be undistinguishable from any form of the goods ethics. And, even with this limitation, the doctrine is double. It has been held (1) that pleasure is the only rational aim of action, and (2) that pleasure is the only possible aim of action. The former view is ethical hedonism; the latter view is psychological and fatalistic hedonism. We consider the latter first.

Psychological hedonism is always attractive in the first stages of reflection. It seems to give a

perfectly simple and adequate theory of conduct as an outcome of the mechanism of sensation and passive desire. A superficial psychology of desire lends itself readily to the illusion, as follows: When anything is experienced as pleasant or in connection with pleasure, it is desired. When some other thing has been experienced as unpleasant, aversion is felt. In this way experience produces a set of desires and aversions united by association; and out of these, by the aid of reflex action, conduct arises as a resultant. There is no call and no place for a free self. Experience reveals the pleasant and unpleasant; and conduct follows necessarily.

This is so clear and convincing that not a few well-meaning men have got hopelessly stalled in their ethical theory at this point. The unlucky feature of the case is that by this time ethics has disappeared altogether. Instead of a moral person, we have a psychical mechanism. And even if ethics were possible, it would be needless and useless. For as we can choose only the pleasant, there is no help in exhortation; and besides, the exhorter himself is in the same plight. Necessity mimics freedom, and all theory breaks down in farce. Hence, either the highest philosophy is self-stultifying, or there is some blunder here.

And the blunder seems to lie in the doctrine of desire. This doctrine has its roots (1) in a sensational psychology, and (2) in the general claim that in any case desire is necessarily determined by affections of the passive sensibility. These deserve separate consideration.

According to sensationalism, the mind is only a congeries of sensations grouped and welded by association. Disciples of this school have generally maintained psychological hedonism; and yet we must say that, on this theory of mind, pleasure, so far from being the only object of desire, is no possible object of desire whatever. Pleasure is only a logical abstraction, and in its generality it admits of no realization. Actual experience can never be of pleasure in general, but only of certain specific and namable gratifications, which, moreover, are generally mutually exclusive, considered as co-existing experiences. These are the only things we have experienced, and on this theory of mind these are the only things we can desire. Only actual and specific pleasures have been experienced; only their recurrence can be desired. The end of life must be sought in such actual and named gratifications; and as these are perpetually changing, life has no common end whatever. Sensationalism has the same difficulty with regard to the end of life that it has concerning the unity of the object in perception. In the latter case, the visual presentation is constantly changing; and, if the presentation be all, we can only conclude that there is no unitary and abiding object. A series of dissolving apparitions is all that remains. We escape the difficulty in ethics by setting up the abstraction pleasure, or the greatest possible sum of pleasures, as the aim of action, in complete ignorance of the fact that neither pleasure nor a sum of pleasures has ever been experienced, or can ever be objects of desire with-

out calling in other functions and activities than those recognized by sensationalism. In every case when we seem to desire a sum of pleasures what we really have in mind is the conception of ourselves in the enjoyment of well-being, and we will ourselves rather than any particular object.

If then we set up pleasure as the end of action, we must abandon our sensational psychology. Simple, homogeneous pleasure can never become an object for a mind which passively registers experience. But, on the other hand, if we allow that abstract pleasure is a possible, and the only possible, object of pursuit, we have a double difficulty. First, the doctrine is practically barren. For as we pursue pleasure in all things, good and bad alike, the practical problems of conduct are untouched; and we get no hint concerning the right direction of life. For this we should have to fall back on an arithmetic of pleasures with its impossible calculations. In the next place, the doctrine shuts us up to saying that, from the side of the agent, all action is alike. John and Judas, Arnold and Washington were all pursuing the same end, pleasure, and differed only in the way of reaching it. And as we may well believe that this difference resulted necessarily from their mental equation, it is doubtful if there was any moral difference in the case.

This is the ditch into which a blind following of these abstractions is sure to lead us. We climb out by remembering that pleasure in general is nothing, and that pleasures in abstraction from their causes are also nothing. They are so bound up with the

object in most cases as to be impossible and even meaningless without them. Envy does not aim at pleasure in the abstract, but wants to see the rival down; and the diabolism of the matter is that it will not be satisfied until the rival is down. Haman's desire was not to please himself, but to get Mordecai under foot. Hence the object of desire is not to be found in any simple homogeneous pleasure, but in a multitude of objects toward which our nature tends. As Butler and others have pointed out, our nature unfolds and moves along various lines determined by our constitution and not by the expectation of any pleasure. Our faculties are so made that their normal action is attended by specific satisfactions, but these satisfactions are the result and not the ground of our constitution. This is decisive against the traditional psychological hedonism.

We come now to the leading difficulty in the doctrine which would found desire and pleasure solely in the passive sensibility. It overlooks the significance of self-consciousness for both pleasure and desire. This point has been especially emphasized by Green in his Prolegomena to Ethics. With the child, as with the cattle, simple passive gratifications are the leading form of experience; but for the developed man most objects derive their value from their relation to self-feeling and self-esteem. Indeed, this fact appears at an early date even with the children. In mature willing, the great aim is not to secure this or that objective gratification, but to bring ourselves into some kind of harmony with

an ideal. The thing does not please us on its own account, but because it fits into some ideal of ourselves. This is true even for many physical matters. Thus the value of clothing depends far less upon the physical comfort derived from it, than upon the exaltation of self-feeling which may accompany it. Social values are almost entirely of this kind. Here desire is a function not of consciousness, but of self-consciousness. Instead of saying that we desire the thing because it pleases, it would be nearer the truth to say that it pleases because we desire it. In not a few cases, and those not the least important, we find the value in the desire itself rather than in any conscious gratification. In these cases we will ourselves rather than the object. All such willing is conditioned by some ideal of what we wish to be, rather than by the sole thought of something objective which we want for its own sake. It may be an ideal of vanity or of excellence, but whatever its contents, this ideal is the implicit condition and the regulative norm both of the desire and of the volition. How we can form ideals and thus constitute our chief objects of desire, or how self-consciousness can modify the mechanical and passive consciousness, is beyond all telling, but none the less is it among the most palpable facts of our inner life. We are under no obligation to tell how a fact is made, or how it can be a fact, but we are bound to let a fact be a fact, even if we cannot explain it.

This long psychological excursion was necessary in order to understand the part played by deterministic hedonism in ethical speculation. It is

partly due to that love of simplicity which has led to so much verbalism and error in philosophy. For the rest, it is the outcome of that passion for explaining which has given us so many elephants and tortoises under the earth. Until some critical power is developed, it is nothing against an explanation that it leads to nothing or cancels itself. The selfishness inherent in the theory is escaped by unwittingly substituting for the individual pleasure, which is all the theory provides for, a universal hedonism, or the greatest good of all concerned. It has even ventured to parade as the Golden Rule in a scientific form on the strength of this ambiguity.

Deterministic hedonism is ruled out by the conditions of rational life. We come now to the second claim mentioned, that pleasure is the only rational end of action. This claim is already implicitly set aside. It overlooks the difference between the pleasures of the passive sensibility in which selfhood has no part, and the satisfactions arising from self-assertion and self-realization. The race when at all developed has always held the latter to be the only worthy goods of life, and has looked upon the former as something to be permitted, indeed, but not to be elevated into importance. Unless carefully controlled, there is always something of the animal about them. And although pleasure-seeking has been commended and recommended by a vast deal of theory, the pleasure-seeker or the pleasure-lover has never commanded esteem or admiration. There is a universal practical conviction that the worth of life does not lie in that direction. No

amount of passive pleasure satisfies, either as an aim or as a possession. Such a thing remains external to selfhood and to self-realization. We ourselves are not advanced or enlarged thereby. We come no nearer to anything which we admire, or reverence, or desire to be. We see that one could have all these things and lose himself. One could have them all and be a fit object of universal contempt. Indeed, one great way in which men make shipwreck of manhood is the pursuit of pleasure as a supreme end; while a pleasure-seeking people is on its way to shame and national destruction. We must say, then, that while passive pleasures form a natural part of our lives and in their place may rightly be sought, no sufficient end of life can be found in them. And, indeed, there has never been any practical doubt on this point. Theoretical hedonism is little more than a verbal puzzle which confuses many but convinces none.

Passive pleasures cannot furnish a sufficient aim of life because of the active nature of man, and also because of the nature of self-consciousness which makes it necessary to refer conduct to some ideal of self as its norm and law. Isolated pleasures also cannot furnish a rational ideal, as they leave us without any principle which shall unify the complexity of life and abide through its successive stages. Hence the hedonistic view is generally abandoned for the eudemonistic, according to which happiness is proposed as the end and aim of conduct, happiness being taken in the sense of

abiding well-being as distinct from isolated and momentary pleasures. This view may be high or low according to the view we take of happiness.

It is, then, rational and right to seek happiness; indeed, no school of ethical writers ever proposed unhappiness as a final end of action. Even the ascetics, who have repudiated pleasure or happiness as an aim of life, have taken these terms in a low sense; and the repudiation has rested upon the conviction, either speculative or religious, that a truer well-being is thus secured; and, considering the outcome of a pleasure-seeking life, very much might be said for that view. It is, therefore, idle rant to belabor ascetic and religious systems of morality as enemies of happiness. The point of difference lies not in viewing happiness as the general aim of action, but in determining what true happiness may consist in.

The difficulty with eudemonism is not that it is false, but rather that it is a barren truism. We are permitted to seek happiness, but until we know in what that happiness consists we are no better off than before. The view is so general as to embrace all ethical systems, and it is so vague as to furnish no guidance whatever. We may conceive happiness to be revealed in the passive sensibility, and then the problem of ethics would be to find the best way of realizing such happiness. Or we may suppose happiness to consist in external success, and then the problem of ethics would be to find its conditions. The problem could be formulated in the question, How to get on?

Or we may conceive happiness to be conditioned

not only by objective circumstances, but also by internal laws and ideals. In this case, no amount of prudential calculation could solve the ethical problem; and we should have to take account of the nature of the subject also. If this nature should involve the presence of a special moral endowment, the problem would be still more complex. We should then have natural goods springing from the simple sensibility, and others arising from the moral nature. All of these problems are untouched by the general claim that happiness is the end of action.

We may, then, suppose that happiness is revealed (1) in momentary pleasures, (2) in the non-moral satisfactions of experience and especially in those of external success and comfort, and (3) in these plus some specific moral satisfaction arising from the reaction of the personality upon itself. In the first view the aim of life would be to attain the largest possible amount of pleasure. The second view would differ from the first chiefly in introducing somewhat more of unity into life both in its contemporaneous and in its successive activities. The third view often differs from the first two by putting true happiness solely in the moral nature and ignoring all other forms of happiness. That is, virtue is the chief and only good, and happiness is left out of view as being no object of moral action.

At first sight the last view accords fairly well with the common conscience. It is natural, of course, to seek for happiness, but we seem to be moral only when we are aiming to be virtuous.

We are under two laws, one of conscience and one of happiness; and ethics concerns itself only with the former. This division of life between conscience and self-interest is very promising until an attempt is made to survey and determine their respective jurisdiction. Then the division of labor turns out to be impossible. However clear and self-sufficing the law of duty may seem in the familiar circumstances of a settled life, both the common conscience and the intuitional theorist find themselves groping when the conditions are greatly changed. Then they are forced to fall back upon consequences and tendencies to find their way. The pursuit of virtue also in abstraction from the natural goods of life proves to be bootless, if not altogether mythical. Virtue, in the sense of formal rightness, is an important factor of the good, but unless supplemented by material rightness and a large development of life and faculty, it does not bring us very far. Such virtue might be allied with profound ignorance and a complete lack of high development; and, however we might esteem it as virtue, we could never praise it as an ideal state. Ignorance, weakness, narrowness, dulness can never be consecrated or elevated by any amount of good intentions. The poverty of ideas, the low mentality, the limited sympathy drag the moral nature itself down into abjectness and squalor. Good illustration is found in the moral and religious condition of the peasantry of eastern and southeastern Europe.

Whenever we laud virtuous character, thus handicapped, we implicitly compare it with unfaithful-

ness in some one more highly endowed, and praise it as superior; and we also commonly have in mind the thought of a better life where the disabilities are removed. The dull mind becomes enlarged and enlightened; and Lazarus goes to Abraham's bosom.

It is becoming clear that as long as we remain among these abstractions of the good, happiness, etc., we shall never get on. In the next chapter we shall seek to show that no system of ethics can escape appealing to some ideal standard which shall fix the permissible meaning of these terms. At present, though we are unable to give an exhaustive definition of the good, a formal one is possible as follows:

The ideal good is conscious life in the full development of all its normal possibilities; and the actual good is greater or less as this ideal is more or less approximated. For man the attainment of this good involves the perfection of individual life and of social relations. For man the good is perfectly realizable only in and through the co-working of the community; indeed, the good exists mainly in a social form. Hence virtue itself largely takes on the form of working for the common good; and unselfishness is often set forth as the chief if not the sole virtue.

The realization of normal human possibilities is, then, the only conception possible of human good. This is true even if we adopt a mystical religious view, as, for instance, that God is the supreme good; for plainly in such a view there is the im-

plicit assumption that thus we should reach the highest and truest spiritual life. These goods foreshadowed in our nature become moral goods only as the free person sees them in their value and obligation, and loyally devotes himself to their realization. In this way the natural good acquires the moral form of the good will, and the good will acquires a worthy task and content. The outcome is moralized humanity, or the moralized human person in a moralized society, and this is the highest good possible to us.

And here seems to be a good place to repeat what has been said about the impossibility of separating the good will from the natural goods of our constitution. The centre of character is indeed found in the will to do right, and it cannot be too much emphasized. Where it is present, other lacks may be excused; and where it is absent nothing else can take its place. The will to do right is also possible to every one and in all circumstances. With it every one can make a beginning, and all may meet on the plane of a common faithfulness. The ignorant, the poor, the savage, the imbecile may be faithful to their ideal of right; and thereby they win the approval of all moral beings. This does not imply their perfection in any sense, but only a right attitude of will toward righteousness; and this furnishes the indispensable condition of all moral development. So much is possible to every one; less than this can be accepted from none. But this is only the form of the moral good; the contents must be sought in the unfolding and realizing of the nor-

mal possibilities of humanity. Not only must the evil will be exorcised for the attainment of ideal humanity, but ignorance also, and superstition, and disease, and the thousand things which hinder full and perfect life. It is at this point that asceticism and monasticism have made their fearful blunders. They have sought to cultivate the holy will apart from the natural objects for its exercise which are set in our constitution. The result was as unsaintly as it was unlovely and unhappy. If on the one hand, the natural life often fails to rise to a moral plane and remains on an animal level, the moral life, on the other hand, by withdrawing from the natural life has often become so narrow and artificial as to be distinctly an enemy of humanity. We see this in the paradoxes of the Stoics, in the insane excesses of religious asceticism, and in the frequent disparagement of intellectual and other normal human interests by religious teachers. In the lack of critical insight, the blind, instinctive push of life whereby every part of our nature has maintained itself has been the salvation of humanity against the encroachments of narrow moral and religious theories which aimed at making saints rather than men. In general, religious ethics is very apt to show an ascetic tendency. It is always easier to be extreme than to be moderate. To gain the world were nothing if the soul were lost; and as dangers to religious interests are always arising out of life, its pleasures and pursuits, the religious temper, in lack of knowledge, is pretty sure to prompt to asceticism as the best solution of the

problem. Perhaps, too, a certain tinge of asceticism is desirable in all cases where moral insight and self-control have not been largely developed. Often the moral development is so slight that any great measure of natural goods is damaging. Wealth, leisure, learning, music, taste, beauty, serve to dwarf the soul when there is not moral force enough to assimilate them. But moral progress will not be reached by withdrawing from these things, but by strengthening the ruling power. The things themselves are necessary for the well-being of the race; and to war against them is to war against civilization. Next to the weak and wicked will, the lack of these things is the great obstacle to human progress. The race is too poor, too ignorant, and has too little leisure from providing for purely animal needs to make anything like ideal human life possible.

But we must not take leave of this subject without once more emphasizing the fact that the centre of gravity of the good lies within the person himself; and that within the person the central element of the good is the righteous will. This is the highest, the best, the only sacred thing. And we are perpetually brought back to the importance of this emphasis by seeing the ease with which men lose their true selves in the search for external gratifications. High powers in the service of ignoble aims, external forms and ceremonies cut loose from the living will to do right, the multitude of actions done to be seen of men—all emphasize the need of perpetually recurring to the good will as the centre

of the moral personality. A man's life consisteth not in possessions, nor even in knowledge. Without the good will, these things would profit him essentially nothing. But on the other hand it is none the less true that the good will is not sufficient unto itself. It needs a field for development and realization; and this field is found, not created, by the good will. This field consists in the potentialities of our nature, but these potentialities in turn depend for their realization in any high degree upon the existence of a developed social order and also upon the co-working of the physical world itself. Learning, science, wealth, and a good degree of mastery of cosmic forces are necessary to secure for man anything approaching an ideal existence even upon the earth. If these things are present in good measure in the community, the individual may share in their results without personal possession; but when they are lacking both in the community and for the individual, we have simple savagery. And for man, as a dependent being, the attainment of his highest good will always depend on something besides virtue, and on something beyond himself. Virtue is not sufficient unto itself. The good will cannot get far unless it finds itself in a system which is adjusted to, and supplements, its efforts. This is the ground of Kant's argument for a world power which makes for righteousness and unites virtue and happiness in the supreme good. It is also the basis of the æsthetic and religious demand for heaven, so far as heaven consists in external conditions. For while ideal character may be possi-

ble under untoward circumstances, ideal life is impossible, except in an ideal environment. A world like the present, where the creature is most emphatically "made subject to vanity," while serving as a training school for character, can never be the scene of perfect and ideal life. When science has done its best, and when the evil will has been finally exercised, there will still remain, as fixed features of earthly life, physical and mental decay, bereavement and death; and none can view a life in which these are inevitable as having attained an ideal form.

Our general conception of the good implies that duty has all fields for its own. It is our duty to help, so far as we can, whatever ministers to the enlargement and enriching of life, and it is our duty to refrain from and prevent, so far as may be, whatever hinders the attainment of the largest and fullest life. There is no field of the morally indifferent, or, if there be, it is a vanishing quantity. The moral nature claims to rule over every department of life, over trade, art, literature, politics, not, however, in the interest of a narrow and ascetic morality, but in the interest of that large, free, ideal human life to which all our activity should minister. Matthew Arnold made it a frequent charge against Puritanism that it recognized only moral interests, whereas life has many interests besides morality. Here the critic and the criticised were about equally at fault. Life certainly has other than moral interests as these are understood by an other-worldly religiosity; but nothing can

outrank a morality whose aim is the attainment of the largest and fullest life, as Mr. Arnold himself elsewhere confesses. And we need not be ashamed to carry into our thought of that life whatever is normal to humanity. It is a mistaken refinement or exaltation which would turn away from any such normal element as common or unclean.

CHAPTER III

NEED OF A SUBJECTIVE STANDARD

At the beginning of the last chapter, while professing full confidence in the results reached, we also expressed a doubt as to their practical value. That doubt still remains unresolved. Somehow or other we fail to get on. Some mistaken psychology has been ruled out, but about the only positive result this far achieved is the vindication of life as a whole as the field and subject of ethics. Our moral task is seen to be to develop this life into its ideal form; and ethics is forbidden to call anything common or unclean which life involves as one of its component factors. To do so is absurd from the standpoint of reason, while from the standpoint of theism it is little, if any, short of blasphemy. But when we come to apply these conclusions to the practical guidance of life, we are rather surprised to find how little help they give. We are permitted, and even commanded, to seek happiness and good; but when we inquire what this happiness is, we begin again to grope. We find men pursuing happiness in forms repudiated by the moral nature. We find false happiness and true happiness; and no quantitative standard serves to distinguish them. The fact is, we are all at sea until we appeal to some

ideal conception or inner law which shall interpret to us the permissible meaning of our terms. Not all happiness, but normal happiness—not all good, but the true good, are to be the end of action; and to discover what these are we have to fall back on some form of moral insight. To bring out this fact is the end of the present chapter.

If we should make the actual happiness of the actual man the justifying ground of action, it would follow that whatever pleases any one is right for that one, so long and so far as it pleases. No matter where the pleasure might be found, in sensuality or cruelty, it would still be justified so long as it pleased. Every one would be a law to himself; that is, there would be no law. If we sought to mend the matter by bringing in legal and social pains and penalties, we should only make it worse; for then we should have arbitrary violence, in addition to our ethical individualism. In both cases moral law would vanish.

This individualism in its purity has never been practically held by any one, and indeed never can be. The sturdiest theoretical denier of universal moral law would be indignant if his neighbors should take him at his word and repudiate all moral law in dealing with him. Hence all thinkers, in distinction from the tedious airers of conceits and paradoxes, have always felt the need of providing for some kind of universality and of making a distinction between the actual pleasure, which may or may not be allowed, and the ideal good which is the real ground of obligation. This was the case even with

Epicurus. He made pleasure indeed the end of life, but he demanded so much wisdom and self-control in its pursuit, and made pleasure itself so largely a negative thing, that one would be sorely mistaken who should look upon him as advocating a life of boisterous sensuality. A life according to Epicurus would not be much more exciting than a life according to the Stoics. Here reappears the fact mentioned in a previous chapter, that the rational pursuit of pleasure or happiness must always be so bound up with the observance of law, as to be about as irksome to passion and desire as the categorical imperative itself.

This matter has been very much complicated by certain psychological exigencies which are no proper part of the moral question. In the first place, the goods ethics has often been built upon a selfish psychology which held that action can proceed only from a desire for personal happiness. When, then, one seems to be seeking another's happiness, it is only an indirect way of seeking one's own. Hence an ethics based upon this psychology must either flout the universal ethical demand for unselfish action, or else it must make a show of deducing such action from the elements of purely selfish desire. The former alternative was impossible because of the sharp contradiction of both conscience and consciousness; and the latter alternative was hopeless except to confusion.

The alliance, however, of the goods ethics with selfish psychology is purely accidental. This ethics simply claims that the obligating ground of action

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must be in the good to which it is directed; and this claim is valid, no matter what our psychology.

In the next place, the question has been complicated and confused by the need of sensationalist ethics of escaping the admission of native moral insight on the part of the mind. It proposes, therefore, to deduce all ethical principles from experience, making consequences the final test. The determination of right and wrong, then, is by a calculation of anticipated consequences on the basis of experience.

Here is another accidental alliance. The goods ethics, as such, is independent of sensational psychology. It claims that material rightness is determined by relation to well-being, and that our duty is to find and follow this material rightness. Formal rightness, or virtue, is simply the will to realize this material rightness so far as we apprehend it. But this claim is entirely compatible with the intuitive perception of the validity of certain formal principles. The goods ethics may even admit the system of intuitive principles, and claim only to find their rational ground and to criticise their application. Indeed, psychology shows that there are elements in conduct which are not the products of the individual experience, and that the individual is born with implicit tendencies with relation to conduct as well as with relation to taste, appetite, growth, etc. Without something of the kind it is hard to see how most men could be moral beings at all. Their mental immaturity and lack of knowledge forbid any thought of determining

right and wrong for themselves by a calculation of consequences; and they could only blindly submit to the authority of others. On any theory of the individual's origin, these innate tendencies, so far as general, would show a certain adjustment to the well-being of the person and of society; and there would be a risk in contravening them except for manifest and solid reasons.

But if all this were admitted, all that would be overthrown would be the sensationalist's claim that the individual life begins entirely indefinite and indifferent, and awaits all direction from without. This claim is totally incompatible with any law of heredity or progress, and is indeed a fossil from the pre-critical stage of thought. But the contention of the goods ethics remains undisturbed. All that is shown is that life begins spontaneously and instinctively without the aid of our logic and critical wisdom; but it is not shown that, after life has begun, logic and reflection may not have a work to do in guiding and restraining even the instinctive activities. The position in ethics is precisely what it is in hygienic and sanitary matters. Our appetites develop spontaneously from the nature of the organism, and there is a general adjustment between them and our physical well-being. But they are not infallible. In any case they need guidance, and sometimes they need reversal. In so far as they harmonize with our well-being, reason ratifies them; but in so far as they fall short of, or traverse, well-being, reason demands a readjustment and sometimes even an excision. In the same way,

if it were shown that a system of conduct develops spontaneously and instinctively in life, reason would have the same task of critical supervision and adjustment; and if any principle were found out of adjustment to well-being, reason could only view it as an instinct which had lost its way, and which must be either readjusted or extirpated. The practised reader will recognize what a fearful proportion of ethical discussion has been irrelevant from the failure to keep the ethical and the psychological points of view distinct.

Returning from this excursion, we can perhaps best get the subject of this chapter before us by raising the question, Can we completely determine our judgments of right and wrong by what we know or anticipate of consequences, or must we also have recourse to some inner standard by which consequences must be judged? The view which maintains the former position we shall call the calculating ethics. Historically, what is known as utilitarianism has largely held this view. Pleasure is supposed to be the only end of action, and the objects which produce it are revealed in experience. Acts and mental states are good as they produce pleasure, and are better only as they produce more. With these data of experience we are supposed to calculate our way through life without any help from original moral insight, always keeping our eye on pleasure, the chief and only good. As a whole, utilitarianism has been an incongruous compound of the goods ethics and sensational and selfish psychology.

As already pointed out, this view implies that the vast majority of the race are to live not by reason but by external authority. Tutelage, if not slavery, must be their moral condition. One has a sense of the ludicrous in conceiving the average man as working out a moral theory by his own reason. Hence it is hard to tell in what his morality would consist. A prudent regard for the laws might be enforced by easily understood penalties; but there would be little moral life involved in that. This difficulty has commonly remained hidden because of the fancy that man, rather than men, is the subject of moral law; and hence if we get a law for man, we need take no thought for men. But men are the real subjects; and when by hypothesis they have no inner law and, in fact, have so little wit as to make the notion of calculation absurd, it is really somewhat puzzling to tell in what their moral life consists. But supposing this difficulty surmounted, an ambiguity in the calculating ethics meets us at the start as follows:

Consequences may be estimated for the individual or for society. In accordance with the selfish psychology on which it has generally built, it has commonly started off by referring to consequences for the individual. This has been all the more necessary because of the doctrine of desire which made it impossible to desire anything but one's own pleasure. In this form the doctrine cancels ethics altogether. Whatever pleases is right, and right because it pleases. In that case, any and every form of conduct which pleases is allowable; and a

pure individualism reappears. There is no high or low, noble or ignoble, reverend or base. Some are pleased with some things and some with other things. The whole question becomes one of taste about which there is no disputing.

The principle which makes actual happiness the law of action implies, of course, that it may be sought wherever it can be found. Hence if one finds it in sensual gratification rather than in mental effort and spiritual purity, there is no reason for complaining of such a course. The calculating ethics could only try to show how much the sensualist loses by such a course; but in so doing it overlooks the personal equation in matters of happiness. The preacher has no better right to judge for the sensualist than the sensualist has to judge for the preacher. The preacher is too cold-blooded to sympathize with the sensualist; and the sensualist is too hot-blooded to enjoy the tame pleasures of the preacher. If it be said that there are some who have tried both, and therefore can judge between them, the answer is double: (1) The trial took place at different periods of life when the temperament had changed; and (2) no one has any more right to prescribe another's pleasures than to prescribe his favorite dishes. This view would make ethics purely individual and destroy its universality. It also fails to provide for any such sense of obligation as actually exists. Our pleasures seem to be largely in our own choice and to be only to a very limited degree objects of obligation.

If, then, persons should differ in their judgment

of what is in itself desirable, we should have only a difference of taste and opinion. There would be no ground for affirming a moral difference. And for removing the difference of opinion, the only resort would be to appeal to future consequences. But this, too, would fail us unless we had recourse to some theological teaching or assumption concerning the future life. So far as the present life is concerned, a consideration of consequences would give different results in different cases. One looking to long life might be held back from sensuality by pointing out that the end of these things is death; although the progress of hygienic and medical knowledge might make even this doubtful. But another person might well have a very different expectation of life because of inherited tendencies to disease, or because of some actual malady; and for him the calculation of visible consequences would give a law very different from that yielded in the former case. His life being short he might well decide to make it a merry one, in the hope of being out of the way before the harvest from merry living had to be reaped.

A partial escape from these results might be found in the claim that the moral nature also must be taken into account in determining what happiness is. When we duly consider this fact, and take into our estimate the joy of a good conscience and the pangs of remorse, we shall be able to bring the results of calculation into harmony with our moral convictions. But this view has many difficulties. It first brings in a specific moral nature as well as our

non-moral susceptibilities to pain and pleasure, thus disturbing the purity of the calculating ethics. In the next place, the pains and pleasures of conscience presuppose a moral judgment concerning right and wrong, and can never be the ground of the distinction. Finally, the moral nature is brought in only as a psychological fact, and not as an authoritative standard. Its force depends entirely upon the amount of disturbance it can make; and it has no more authority than a physical appetite. But we always feel free to modify an appetite of this kind so far as we are able, if it prove troublesome. Hence, this view throws everything back into individualism again. For, so far as experience goes, the performance of duty is not a pleasant thing to most of us. It is rather a yoke and a burden which is neither easy nor light. Conscience is a poor source of sentient comfort. Of course it pays to regard it to the extent of keeping the law and gaining the good opinion of the neighbors, but when we go beyond this, conscience is apt to become more exigent and intolerant, the more attention we pay to it. In this larger sense, there is no way of connecting the performance of duty with the pursuit of happiness except by bringing in some extra-ethical sanction. This has generally appeared in the form of a doctrine of future rewards and punishments.

But with this addition the doctrine reduces conduct to selfish prudence. All moral differences of character vanish into distinctions of shrewdness. There is no place for moral worth and dignity, but

only for hire and salary, loaves and fishes. The individual is no law unto himself, and has no law within himself. Sin is a great imprudence because of future retribution, but apart from extrinsic consequences it is not intrinsically bad. Virtue consists in doing the will of God for the sake of everlasting happiness. In such a scheme we miss an essential element of the moral character, namely, the love of goodness for itself and not for its extrinsic and adventitious consequences.

Finally, if pleasure give the aim and law of life, it follows that the unpleasurable may always be avoided unless it be supported by the prospect of a greater pleasure to be reached or a greater pain to be avoided. In particular, if any faculty, like conscience, should appear as a disturber of our sentient peace, yet without any very valuable rewards in its hands, it might be extirpated as fast and as far as possible. Virtue and duty are to be regarded only as they coincide with actual happiness; and whenever they transcend these limits, they may be decisively set aside. And as it is rational to aim at our own happiness, there is no assignable reason for considering the happiness of others, except so far as I see my own advantage in it. In case of irreconcilable collision, I may set aside with equal decision all consideration of the claims of others. There seems to be no reason why truth or justice should be preferred, if we found our advantage in the opposite. Any and every thing would be open to us to try if they promised well, or if there were a good chance of escaping any prospective results. Any skill

or violence which could change consequences would reverse right and wrong. Such a doctrine, if it did not produce, would at least justify, any measure of inward dishonesty and of outward faithlessness.

But perhaps this unsavory result is due to having confined our attention exclusively to the consequences for the individual. Possibly if we enlarge our view and take into account the consequences for all concerned, these difficulties will disappear. This we now proceed to do.

But at the very outset the calculating ethics meets a grievous difficulty in setting up the general well-being as the end of action. If it retains its selfish psychology of desire, it is impossible for any one to aim at anything but his own well-being; and before one can possibly aim at the general well-being, it must be shown that his well-being and the general well-being coincide. At best this would only give us a wise selfishness; and, what is worse, the coincidence cannot be made out, except in a vague rhetorical way. The myriads who are preying upon society owe such well-being as they have to the social damage and evils which they cause or aggravate. Scarcely less absurd is the claim in the case of the many who in the name of what they call duty are foregoing many things they ardently and rightly desire. The hopelessly sick who yet will live on, are cared for. Imbecile old age is tended and cherished. Helpless and inefficient relatives are shouldered and carried. And meanwhile life and its most precious opportunities are slipping

away unused because of these hindrances. It is one of the most striking illustrations of the blind shamelessness which a one-eyed devotion to a theory can produce, that burden-bearers such as these are told that they are really seeking their own pleasure in all these sacrifices. Of course, when the well-being in question is that of posterity, there can be no thought of our sharing it.

If we retain the selfish theory of desire, there is no getting on; but we are not much better off if we give it up. For in that case we set up the general well-being as an end, and leave the obligation to seek it very obscure. By hypothesis there is no intuitive perception of duty in the case, and the attempt to connect it with the natural impulse to seek our own happiness through the enlightenment of our native selfishness is a failure. No selfishness, enlightened or otherwise, could well engage us to work for future and unrelated generations. If, hereupon, we should insist that the aim of action should be to secure the greatest amount of happiness for all concerned, we should not mend matters. Such a principle would be excellent for the legislator, but for the individual it looks very like an intuition, and is barren besides. For, if the matter is purely quantitative, my happiness counts for as much as another's in the general sum; and it is far from sure that I might not most increase that sum by doing the best for myself, rather than by costly thought for others. Ovid asks: "Why should one give anything to the poor? One deprives himself of what he gives, and only helps the other to pro-

long a wretched existence." If it be selfish in us to decline to sacrifice ourselves for others, how selfish it is in those others to desire, or permit, that sacrifice. Besides, as it is only a question of the largest sum of happiness, and the present is here and certain, while the future is distant and doubtful, it would seem to be a mistake for the present generation to make any sacrifices for the future. Who can tell whether posterity will ever arrive? But if they should, what a fine chance for unselfish delight they will have, if we now enjoy ourselves as much as possible, and transmit a full report.

Moreover, in treating the matter quantitatively, what shall assure us that different men's pleasures are equal, or are to weigh alike? Might we not assume that the coarse pleasures of a thousand slaves weigh nothing in comparison with the comfort and elegance of a single master? Is it not possible that Goethe's imperial soul derived from his amours a rare and exquisite pleasure which quite outweighs any inconvenience they may have occasioned their victims? Indeed, we have heard, and that from a woman, that Shelley's soul was so rapt, so ethereal, so incommensurable, that it is little less than æsthetic blasphemy even to hint condemnation of his amatory performances. In like manner the guardian or the trusted clerk might well reflect whether the silly ward, or the old hunks of a master, could ever make such rare contributions to the sum of happiness as he himself could do, with his more æsthetic and gifted nature. Indeed, after due reflection, he might even come to

reproach himself with being a traitor to the sum of happiness, if he longer failed judiciously to avail himself of his opportunities to increase it. But to this sort of thing there is no end. If one cared to do it, a good word might be said even for murder and cannibalism, while adultery lends itself rarely well to such treatment.

Finally, the calculating ethics must decide whether it aims to find a rational ground for moral principles already discovered and possessed, or to deduce them from experience. These two conceptions have not been kept as distinct as could be wished. It has been very common with easy-going utilitarians to point out that the virtues are useful in general, as if that were the whole of the matter. But it is very much easier to show a measure of utility for the virtues, than it is to deduce the virtues as unconditionally binding from utility. In the former case, we assume the virtues, show some utility, and take the rest on trust; in which case the purity of the calculating ethics is somewhat bedimmed in advance. For the virtues are either referred to a moral nature, or are assumed out of hand. Besides, the notion of utility itself is left very obscure. A coarse, objective utility is rejected by all as insufficient; and for subjective utility, we have no measure but the very feelings from whose uncertainty the calculating ethics promised to deliver us.

But if we take the other view and attempt to deduce the virtues and duties, we need to decide whether we are trying to prove general laws, or are dealing with each case on its own merits. In the

former case, we should deduce some general principle, like justice, and then we should deal with special cases by subsuming them under the law. We should raise no question of utility concerning the particular case, but only concerning the class to which it might belong. In the latter case mentioned, there would be no law-giving classification, but each case would have to be judged alone. We should inquire into the probable outcome of each case, taken by itself, and without any prejudice from the past. But in both cases we should have trouble. In the former, the individual is subordinated to the universal in a way which looks sadly like an abandonment of calculation altogether, and it certainly is a complete surrender of the selfish psychology. It is very far from evident that the principle which applies to the general is not to be applied to the particular; and it is very doubtful if the general is true, if it does not provide for the particular. If we say that such a course would lead to moral anarchy and is hence to be condemned, this would indeed be a reason drawn from consequences; but it cannot be drawn without assuming that the individual has no rights as against the community; and this is an assumption which is in sad need of an intuition, or other support. Besides, the individual might claim that the proposed course which is good for him could not become a public damage unless it were known and followed; and this might be avoided by due caution on his part, or possibly the act might be such that it never would, or could, become general.

But if we take the other view and try each case on its own merits, we are equally at sea. As we cannot know all the consequences, we cannot know whether an act is right or not. No question could be considered closed; no answer would be final. Until we have found how the present case is going to turn out, its character remains an open question; and if we are in a position to modify the consequences, we can modify right and wrong. What would be right for a person would depend on the influence he could bring to bear. What would be right for a nation would depend on the efficiency of its army and navy. Thus the way is opened to infinite casuistry and internal dishonesty. If it be said that this too is an evil, and that a study of consequences would forbid it, the answer is—(1) It is an evil only to him to whom it is an evil, and (2) the internal evil is largely dependent upon the conviction that we have wilfully done wrong. Remove this conviction, and the sense of guilt, remorse, personal demerit vanishes; and this would be the result on the theory in question. For these feelings arise only after we have acted against our conviction of right; whereas what is right remains, as yet, an open question.

Mr. Herbert Spencer would seem to be the only leading utilitarian who is clear in his own mind on this point of general principles *versus* special cases. He holds that it is "the business of Moral Science to deduce from the laws of life and the conditions of existence what kinds of action necessarily tend to produce happiness, and what kinds to produce

unhappiness. Having done this, its deductions are to be recognized as laws of conduct, and are to be conformed to, irrespective of a direct estimation of happiness or misery."* This view Mr. Spencer calls rational utilitarianism, in distinction from empirical utilitarianism. He reproaches the latter with having no just appreciation of natural causation, and complains that it supposes "that in future, as now, utility is to be determined only by the observation of results; and that there is no possibility of knowing by deduction from fundamental principles what conduct *must* be detrimental and what conduct *must* be beneficial."

But for the appeal to the professor of biology, Kant himself could not ask for anything more categorically imperative, so far as the individual is concerned. The "observation of results" and the "direct estimation of happiness or misery," two very important matters for the individual, are to be set aside in the name of a dogmatic deduction of what "*must* be detrimental" or "beneficial." It is not strange that the rank and file of utilitarians have not accepted this as orthodox doctrine.

Most of these difficulties would meet us in trying to determine what is right, by pure calculation, even if we should allow a subjective willingness to do right after it is determined. This willingness is commonly assumed as a matter of course, and for one of two reasons. Sometimes it is taken for granted that the greatest good must determine the will; and hence we have only to show men the mil-

* "Data of Ethics," § 21.

lennium to cause them to rush for it. This view needs no discussion. At other times the assumption is implicitly made, that it is our undoubted duty to work for the greatest good of all concerned. It is this assumption which explains the favor with which the calculating ethics is often received, and which makes it seem like the Golden Rule in another form. But this assumption is not reached by calculation; and indeed it is hard to adjust it to a calculating system. Without the assumption, however, the calculating ethics is probably the most degrading and disastrous doctrine ever broached. There is absolutely no crime or baseness whatever for which a pettifogging intellect could not say something when suborned by a wicked heart.

Here we have a set of very serious difficulties for the calculating ethics; and its disciples have never adequately considered them. The difficulty involved in deducing proper altruism from psychological egoism has been avoided, rather than solved, by setting up the greatest happiness of all as the end of action. Bentham insisted very strenuously on the greatest happiness principle, but he never succeeded in connecting it with his selfish psychology, or in rescuing it from its essential vagueness, when not interpreted by some authoritative principle. The most important work of this school has been done in the field of legislation and political reform, where, indeed, the greatest happiness principle is often the only standard possible, and where its meaning is sufficiently clear. In this work there was

little call to consider the foundations of the principle; the main thing was to apply it. This was all the easier from the fact that Bentham was really aiming at equality and the common good. Every man to count for one, and no man for more than one, was the principle of equality; and the greatest happiness meant only the public good, and not the interest of a class. Bentham and his followers gained prestige from their effective protest against the many stupidities and social iniquities which had claimed the sanction of law and conscience. This was the valuable part of his work, and this was quite independent of his bad psychology.

Mr. J. S. Mill has done more than any one else to relieve the doctrine of its worst features, by insisting on an essential difference of pleasures, and by repudiating all attempts to measure their relative worth quantitatively. The higher pleasures outrank the lower, and may never be subordinated to them. In this way he sought to shut out the low forms of sensualism, however pleasant, from competition with the higher functions of life, however lacking in simple pleasurable sensations. Here, then, we have a standard which is not pleasure, and which is not derived from calculation. This is a highly suspicious conception for an empirical ethics and a sensational psychology; so much so, that Mill's critics have generally agreed in viewing it as an abandonment of his utilitarianism. Mill, however, found the standard, not in any authoritative insight of the soul, but in the general agreement of men; and took no pains to show that the opinion of the

many should bind the few. But, apart from such showing, dictating what one shall enjoy is like dictating what one shall eat.

That these results are incompatible with all our moral convictions is self-evident; and the escape from them lies in only one direction. If happiness be the sole aim of life, we can escape the above conclusions only by assuming that this happiness itself has a law, and that this law is the same for all concerned. Without the law, everything is arbitrary; without the universality, everything is individual whim and caprice. That is, we assume a fixed constitution of things and a normal nature of man; and the standard of appeal is not the actual happiness of the actual man, but the normal happiness of the normal man. And, in order to use this result, we must further assume some measure of insight into this normal happiness which shall serve as a standard of discrimination between allowable and unallowable happiness, by presenting some kind of ideal in harmony with which alone happiness may be realized. And, implicitly at least, every system has made this assumption. Happiness arising from degradation of nature has always been abhorred. Nothing could reconcile us to the fate of Circe's swine. We object to slavery, not as producing unhappiness, but as a debasement of humanity.

This applies to our estimate of the good for the individual. The conception of the common good and the obligation to seek it are equally beyond calculation; or, rather, the part which calculation plays is only a subordinate one. This appears from

the abject failure of all attempts to deduce proper altruism from any selfish desire or insight whatever.

The duty ethics leads to the goods ethics, unless we are content to rest in a barren doctrine of good intentions; and the goods ethics leads back to the duty ethics, unless we are content to abandon ethical philosophy altogether. The true ethical aim is to realize the common good; but the contents of this good have to be determined in accordance with an inborn ideal of human worth and dignity.

But this conclusion is not to be viewed as an abandonment of the goods ethics. In the declaration that happiness must have a law, many critics claim to find a surrender of the goods ethics. This, however, is a mistake; for while happiness must have a law, the law must lead to happiness. If it sets aside a given form of happiness, it must be in the name of a higher and truer well-being. Every ethical system has to fall back upon some form of moral insight to interpret its principles. A life according to nature, or according to reason, or in harmony with the golden mean, pleasure, happiness, greatest happiness of the greatest number—all of these aims are vague, until we allow the mind to fix their permissible meaning. The goods ethics is no worse off in this respect than any other system.

CHAPTER IV

SUBJECTIVE ETHICS

The impossibility of solving the ethical problem by general notions about the good, pleasure, and happiness has abundantly appeared. When we make any of these basal, we at once find ourselves compelled to appeal to some ideal conception, or inner law, which shall interpret to us the permissible meanings of our terms. As was pointed out in the last chapter, not all happiness but normal happiness, not all good but the true good, not the things which do please but the things which should please, are to be the aim of action; and to discover what these are, we have to fall back upon some form of moral insight. We must now inquire into the form and contents of this inner law. This may be called subjective ethics, as being the law founded, not in a consideration of objective consequences but in the nature and insight of the moral subject himself, or as being the law which the moral subject imposes on himself. This inquiry also concerns a more familiar part of the moral field. Indeed, the work thus far done has so little connection with customary moral ideas, that it would not be surprising if the unpracticed reader failed to find in it any connection whatever with the moral life.

This study of the subjective factor might easily be extended to take in the whole field of ethical psychology. The desires and emotions, the nature and psychological classification of the moral faculty might be duly considered. But for ethics proper such study would be only lost time and labor. We confine our attention to the subjective factor as related to the law of duty.

It would be amazingly convenient, both theoretically and practically, if we had an infallible inward monitor to which we might appeal on every question of right and wrong. A common form of the intuitional ethics used to ascribe such an oracle to the soul, under the name of conscience, which was supposed infallibly to discriminate right from wrong, and to issue infallible commands. This view, however, has fallen into complete discredit, not only because of the varying codes of different people, but also because of the manifest absurdities which claim the authority of conscience even among ourselves. Few atrocities are so great, and few absurdities are so grotesque, as not to have had the sanction of conscience at one time or another. This is notably the case with the ecclesiastical conscience, which has varied all the way from the puerile to the diabolical. We must, then, analyze somewhat the concrete moral product, if we would find the principles which underlie it.

The most general moral fact is the recognition of a difference between right and wrong, and a conviction of obligation to the right and from the wrong. The concrete contents of the right are variously con-

ceived, but the fact of a right, of a law which is obligatory, of obligation which may not be shunned and cannot be escaped—this fact appears in connection with all moral life. In this sense the idea of the right is a purely formal idea, like that of the truth in the cognitive realm; but both ideas are the condition of all activity in their respective realms. The notion of truth is variously conceived in its concrete contents, but the notion that there is a truth which may be discovered is the main-spring of all cognitive action. In like manner, while we may differ as to what the right may be, the idea of a right and of its inalienable obligation lies at the foundation of all moral progress.

Many attempts have been made to define and deduce this idea of moral obligation, but they all fail. It is something more than a simple emotion. It is also very different from a reflex of opinion. What is obligatory is often such a reflex, but the idea of obligation itself is not. We see this in every case where a man stands out against his fellows, his tribe, his time, public opinion, traditional custom, etc. No more does it mean that I will come to grief if I do not do this or that, either through the laws and sanctions of society, or through those of God. To say that I ought to do this or that can never be identical with saying that society or God will punish me if I do not do it. Moral goodness does not consist in conforming to human laws or opinions, or even to divine law, except as they are believed to conform to righteousness. Every thoughtful person of anything like developed ration-

ality finds society bent on doing many things more or less silly and mischievous, and on enforcing them by a great variety of sanctions, social and legal; yet there is not the slightest tendency to produce in the thoughtful mind, or indeed in any mind, a sense of moral obligation. We may feel the constraint of custom; we may perceive the risk in differing from our neighbors; there may even be danger of social ostracism, as in countries where the so-called law of honor and the custom of duelling prevails; but we feel no sense of duty. The customs command neither our reason nor our conscience; and would never become moral duties, even if all the world agreed to maintain them.

The best derivative account of the idea of obligation is that which regards it as the expression of an hypothetical necessity. It is the conviction that a certain course is necessary in order to reach a certain end. The word often has this meaning; but if this were its only meaning, it would imply that the end itself might be foregone. If I wish to become a teacher, I must pass an examination; but I may decide not to be a teacher, and the obligation to pass the examination ceases. This is the kind of obligation which attaches to all matters of non-moral utility. To attain them I am obliged to do certain things or to obey certain laws; but I may escape the obligation by declining the ends themselves. But if there be any end which we are not at liberty to forego, some good we are obliged to seek, a law we may never transgress, then we have no longer an hypothetical necessity, but a categorical

and absolute one. In one sense, indeed, the necessity still remains hypothetical; but it is hypothetical with reference to an unconditional end, and thus becomes itself unconditional.

The idea of moral obligation arises within the mind itself. Of course it cannot be sensuously presented, nor can it be imposed from without. Failure to discriminate between the formal idea and its concrete application causes most of the traditional confusion at this point. Externally, we may have commands and prohibitions enforced by rewards and penalties, but the idea of obligation refuses to coalesce with these. There may be persons for whom external laws and sanctions are the only motive and restraining forces in conduct. The cattle seem manifestly to be on this plane; and human life begins on the same level. Very possibly it often remains there. But the idea, when it comes, has no external origin, and admits of no definition except in terms of itself. The right to which obligation refers is simply a perceived good; and the affirmation of obligation is the act by which the mind imposes duty upon itself in the presence of such a good. The free spirit thus imposing duty upon itself gives us the only meaning and experience of moral obligation. Instead of being an opaque mystery, it lies in the full light of self-consciousness. Instead of requiring some special faculty to produce it, it is hard to see how self-conscious freedom can ever be without it. The idea of moral obligation is a necessary function of a free intelligence in any world where conduct is possible,

and life has any value. Such a being in such a world is entrusted with his own interests and with those of others; and he cannot fail to recognize them without being guilty of folly or ill-will. This fact, when perceived, cannot fail to produce the sense of obligation; that is, the free spirit in presence of such a fact cannot fail to impose duty upon itself, or to affirm obligation to act in accordance with its perception of the bearing and tendencies of conduct. The measure of obligation will vary, of course, with the value of the goods in question. By this imposition of duty upon itself, the soul first arises into properly moral existence.

This autonomy of the spirit, as Kant calls it, has been made the subject of much verbal criticism. If the moral reason gives itself its own law, it is urged, then it is essentially lawless. This is only a quibble. The heteronomy of which Kant complains is a law based on external authority or adventitious consequences, rather than on the essential nature of reason and reality itself. In recognizing this nature and in the appropriate self-determination, the mind is sufficiently autonomous. And without this autonomy, we have no proper moral life, but only a subjection to appetite, balanced by external authority with its machinery of rewards and penalties.

We remain below the moral plane also if we consider obligation only as the impulse to unfold which is inherent in all life and which in man becomes conscious. For in that case we should have only a psychological fact and function, rather than an ethical one. This impulse may have much to do

with our development toward a moral life. The social environment and even the statute-book may also have influence in preparing the way. We are helped to the control of self through being controlled by others. But we reach the truly moral life only when we come to the free spirit giving law to itself in accordance with its perceptions of right reason.

Verbally, of course, this account of obligation is tautological, as all definitions of elementary experience must be. It is also unintelligible except to him who has had the experience, as is the case again with all elementary experience. This idea of obligation does not, indeed, infallibly tell us what is obligatory, but by its existence it makes the moral form of action possible. If it were utterly lacking, there would be no such thing as moral conduct. The idea may be attached to unwise or mistaken conceptions of duty, but its presence is just that which lifts the instinctive life of impulse to the moral plane. For only thereby does it become possible to consider life under the form at once of freedom and of duty.

With this idea a formal moral life becomes possible. Even a man whose notion of life and its goods is altogether on an animal plane may be a moral being. For he may feel the duty of realizing these goods for others, for the family, the tribe, the neighbors; and in so far he is more than animal, he is moral. The contents of life are still animal; but the sense of duty and its recognition in action are something more. The devotion of a savage to

his tribe may be as absolute as that of a philanthropist who is seeking to uplift humanity; and in such devotion he may exemplify the fundamental virtue of love for the common good.

But these formal ideas of duty and obligation alone offer no guide to objectively right action. They supply a moral form for conduct, but no contents. If we had no additional moral insight, we should be thrown back upon eudemonistic calculation for any concrete code, a result to which a purely formal ethics must come. Here then we must rest, or else we must look beyond these formal ideas, and inquire if any concrete law of life can be drawn from our moral nature. Is there any moral law which has contents as well as form, and which is binding upon all moral beings as such?

In this question we come nearer to the common moral consciousness than we have been hitherto. The entire doctrine of goods is foreign to the unreflective practical consciousness; and the distinction between formal and material rightness is only partially admitted. This consciousness is apt to stop with concrete duties, social, parental, filial, fraternal, religious; and these seem to be so manifestly binding, that they are said to spring immediately from the relations in question, and to be intuitively discerned.

Resuming the question, it is of course idle to look for such a law among the varying codes of men. If it exist at all, it must be as an implicit principle. And since the will is the centre of moral action, it

has been common to seek the fundamental moral law in connection with the will. Relations of will are declared to be the only subject of moral judgment. Hence we have only to represent to ourselves the fundamental relations of will, to reach a fundamental moral judgment upon them.

This matter of the relations of will has been worked out with great formal thoroughness by Herbart; and he finds five fundamental ideas, corresponding to which are five fundamental moral judgments. But only two of the five ideas have any concrete moral contents. The others are either formal, depending for their value upon the matter to which they are applied, or they get their value from their relation to the two in question. The two ideas are benevolence or good will, and requital, or the good desert of the good will and the ill desert of the evil will. When, then, two or more persons meet in a common life where mutual influence is possible, we demand that the relation of will, that is the principle of their willing, shall be mutual good will. This we unconditionally approve, and this we universally demand from all moral beings. And we unconditionally condemn the evil will as a principle of action, and affirm its ill desert.

The duty and good desert of acting from good will, and the sin and ill desert of acting from an evil will is the deepest law concerning the interaction of moral beings. Confining our attention to the positive side, the law of good will, or, as it has been called, the law of love, it is plain that this law is unconditionally binding for all beings and for all

circumstances, presupposing, of course, the general possibility of a moral existence. It is a law fit for weakness and power, for ignorance and knowledge, for earth and heaven, for the human and the divine.

This law stands in its own right. We need no argument to prove that it expresses the relation of will which should exist among all personal beings. Even the experience school takes it for granted in setting up the general happiness as the aim of action; the proposition to justify it by reference to consequences would fall into an unlawful abstraction. The good will is the will to produce well-being; and exists only in and through the conception of the good to be attained. If we cancel the conception of the objective good and the possibility of reaching it, the good will has no object and no existence. Love would have no meaning in a world where mutual influence is impossible.

For the normal interaction of moral beings the law of good will is the only universal one. All concrete duties, of course, take their form from the specific nature of the being and the particular circumstances of his existence. Duties arising from physical life would have no meaning apart from that life. Duties arising from the relation of husband and wife, parent and child, master and servant, ruler and citizen, would be non-existent for an order in which these relations were unknown. Even justice, except when identified with good will or with retribution, is limited. Every moral being ought to be treated with reference to his well-being,

however ignorant or undeveloped he may be; but beyond this no universal law can be laid down. The only universal right is the right to be thus treated; whatever goes beyond this depends on circumstances. But love abideth forever. Whatever the nature and form of existence and whatever the grade of development, the law of good will remains binding, as the deepest law for the interaction of moral beings. This is the law which binds all moral orders together, as the law of gravitation binds all worlds into one system. This law will specify itself into manifold forms according to circumstances, and admits of endless application.

The idea of justice, which is often put forward as yielding an equally essential law, is by no means so clear as that of good will. In its common use it is often identified with the legal; sometimes it means the fair, the impartial, and sometimes it is made a synonym for all the virtues. It has also been put as a demand that every one enjoy or suffer the results of his own doings, a demand which seems quite ideal when put abstractly, but which is absurdly impossible of realization in a world of heredity and social solidarity. Most frequently the law of justice is a specification of the law of good will.

In so far as justice seems to have an independent meaning, it is connected with the idea of rights. This idea is inherent in the very nature of the moral personality and of moral relations. In order to be myself, I must have a field of action whose limits all others must respect. Interference is resented with the utmost force of our entire

nature, not merely as a wrong but, what is often worse, as an insult and affront. Out of this feeling and conviction arises the scheme of rights which, in a more or less developed degree, obtains in every moral community. It is in this realm that the idea of justice is especially prominent. Justice has the task of protecting rights. As such, it is largely negative. It does not demand good will or charity, but it demands that the person be undisturbed in the enjoyment of his rights. And as some sense of rights is absolutely necessary to the existence of a moral community, justice is easily made to appear as a more fundamental idea even than good will. We resent nothing more deeply and bitterly than injustice. We can get on with any amount of indifference or dislike, if our rights are left intact. And yet it is manifest that justice in this sense is only the negative side of good will. It represents merely the demands of good will with reference to rights. But as the positive form of good will is of very slow growth in social relations, while the negative form is necessary to the existence of society, the latter seems at once to be a special idea by itself and also to precede good will as something primal and fundamental in the moral nature.

And this leads to still another conception of justice which is also very common. Justice is frequently used as denoting the principle of retribution or requital. It often occurs in this sense in theological discussions. God, it is said, is not merely love; he is also justice. The treatment of good and bad alike is declared to be incompatible

with justice. The moral nature also, we are told, is by no means exhausted in love or well-wishing, but contains another element far more potent and fiery; and this is the element of justice. It is this variable use of the word which has led to the notion that justice is the primal and independent element of the moral nature. It is plain, too, that this claim must be allowed unless we make justice an essential factor of love itself. Certainly a love which had no displeasure for the evil-doer, and no penalty for evil-doing, would be about the most immoral and contemptible thing possible.

But if we make good will the deepest law of moral interaction, it is plain that we have no complete practical guide. To begin with, we have no hint of the necessary limitations in practice. To what extent must I put myself at another's service, or subordinate my pleasure to his? The fixing of this relation is a problem for practical experience. Again, the law of good will throws no light upon the methods of realizing it. Hence we have to discover in some way the practical rules by which the good will should proceed; that is, we have to form a code. Further, while the duty of good will is absolute as a disposition, the forms and measure of its manifestation are not revealed in the disposition itself. These, too, have largely to be gathered from life rather than from any apriori speculation. We are not abstract moral persons, but men and women, parents and children, neighbors and citizens; and the manifestation of the good will has to be determined in accordance with these relations.

Unless we bear this in mind, we shall reach that odious neglect of natural ties in the name of a universal philanthropy, which has so often made philanthropists objects of just contempt. And, finally, the law of good will itself is conditioned by some ideal of humanity. Apart from this, it is compatible with the most unsavory results. Love simply as well-wishing, or an unwillingness to give pain, is quite as likely to be immoral as moral. Sympathy frequently stands in the way of righteousness; and pity is often but a weakness of both nerves and character. In a world of sots and gluttons the law of good will would lead to unlimited drinking and gorging; and all the while every one might be doing precisely as he would be done by. This pitiable result is escaped only as there is some perception of the ideal order of human nature which conditions the application of the law. Given this conditioning conception, we may say that the law of love, or good will, includes all duties of man to his neighbor, or that it is the ideal social law. It expresses the spirit which should rule our lives, and the principle from which action should spring. If, then, we are told that the law of love is the only basal moral law, we assent to this extent: The law of love is the only strictly universal moral law for all normal social action. It is also the only social law for human beings, but it presupposes in the latter case a law for the human being himself which determines the form of its application. A complete law of duty for us must include both a human ideal and also a law of social interaction.

There is, then, in human morality, even supposing it perfect, a double element. One is a universal factor which we must view as valid for all moral beings whatever; the other is relative to humanity itself and has reference to human perfection. The ideal of what man ought to be is a prominent factor in determining what he ought to do; and the ideal itself varies as we conceive man as a pure spirit, or as a being of flesh and blood in manifold physical and social relations. The universal element lies in the affirmation of the duty and good desert of the good will, and of the evil and bad desert of the evil will. Historically, of course, this duty has been extended only to those who were supposed to exist in mutual moral relations. The other element refers to the ideal of human perfection toward which the individual should strive. This latter element is highly variable and uncertain in comparison with the former. The law of good will with all its implications, and the ill desert of the evil will, may be looked upon as beyond question. They need no proof and admit of none. All that can be done is to present the relations involved to our consciousness, and await the immediate reaction of our moral nature. But the ideal of humanity, except as involved in the good will, is a far more complex affair.

The uncertainty of our ideal of perfection, and the relative clearness of the law of the good will, have led some writers to hold that social life is the only field of ethics, and to set aside duties to one's self as a sort of pedagogic and gymnastic discipline

on our own account which has no properly ethical character. The social law of morals then is all. Good will is the spring of conduct, and the common good the aim. The claim is further supported by the fact that social action is the chief part of our life. The individual lives and moves and has his being only in the social environment; and hence can readily be looked upon as only a function of that environment. Hence, again, it is easy to fall into the extravagance of thinking that duty relates only to society, or to the individual in society. But this extravagance has always been repudiated both in theory and in practice. The condition of owing anything to others is to owe something to myself. The humanity which I respect in others, I must respect in myself. I am not permitted to act irrationally toward myself any more than toward others. My indifferent pleasures are in my choice; but my true good is not. Robinson Crusoe did not become a non-moral being when thrown on the desert island; for he still owed respect to his own humanity. For social ethics, good will is indeed the spring and the common good the aim, but the ethics of the person is not exhausted therein. The moral ideal binds the individual not only in his social relations, but also in his self-regarding activities and thoughts. And this is generally recognized by the common moral consciousness. Many a course of conduct is condemned not as harming others, but as degrading the humanity of the agent. The whole list of crimes of sense and passion are of this class. They are sins against humanity not in the persons of others, but in the persons of the agents

themselves. Thus we come back to our conclusion again that our morality involves not merely the law of love, but also an ideal of humanity which conditions its application. If we desire to make either primary, the ideal is basal, and the law of love is its implication. In morals, being is deeper than doing.

Dr. Martineau, in his "Types of Ethical Theory," has given us one of the best attempts to form a complete system of ethical doctrine from the subjective side. This supposes that every ethical judgment involves the comparison of two or more motives. When the higher is preferred to the lower, the action is right. When the lower is preferred to the higher, the action is wrong. There is further a scale of rank among motives, in accordance with which all action should take place. This is all that ethics has to do with. The study of consequences belongs to prudence.

There is much in our moral life that lends itself to the support of this view. Many problems of conduct are only questions of expediency. The moral aim may be consciously present, while the mode of carrying it out is quite uncertain. This is especially the case in problems of law and economics. Here the moral and the prudential problems are plainly distinct. The former may be solved, while the latter is untouched. Again, the moral agent can be abstracted from his surroundings and maintained, at least in our thought, intact in his person and character. On all these accounts it becomes easy to fancy that the moral problem can be completely solved within consciousness itself.

Without doubt, Dr. Martineau's view contains a large measure of truth; but it is very doubtful if we can always so sharply separate the moral from the prudential, especially within the life of the person. If we do so, it is only by an act of abstraction which puts asunder things which belong together. The doctrine of higher and lower motives does very well for such opposed motives as good will and malignity, selfishness and unselfishness; but when we attempt to make a complete theory of moral action from it, it becomes complex and operose to the last degree. A glance at the table of rank among motives will confirm this opinion. A good many of these motives are excluded by simple good will. The remainder are mostly natural propensities good in their place, and evil only when going beyond a certain measure. Because, too, of the unity of our nature, all of these are needed in life, and any one of them may have right of way according to circumstances. We may say that the rights of the mind are superior to those of the body, that the spirit outranks the flesh, etc., yet such considerations do not remove the fact that in certain circumstances the physical claims must take precedence of supposed spiritual ones. These rights of mind and spirit are reached only through the co-working of the physical. Moreover, even the virtues themselves are not always free from a quantitative reference. What means has the person himself of telling where self-regard ends and selfishness begins? How shall he separate courage from rashness, and prudence from cowardice? Where does firmness

become obstinacy, and meekness pusillanimity? As heat is not cold, yet passes into it by indistinguishable degrees, so many of the virtues fade into their opposites in manifestation without any well-defined subjective frontier. And these questions cannot be decided by any subjective standard. To ask an untaught and sensitive conscience when we have done enough, or made sufficient sacrifice, is to start on the road to insanity. Conscience itself has to be subordinated to good sense, or it becomes a measureless calamity, issuing in asceticism or madness. It may well be doubted, also, if for the decision of the many questions which arise concerning the relations of lower and higher, of rest and labor, of work and amusement, and of the quantitative measure of each, we have anything beyond a vague ideal of human perfection and an experience of consequences. The ideal itself is evolved only in and through experience. The motives become definite only as the experiences become definite and consolidated. Before this point is reached, we have not a set of clearly conceived and easily distinguished motives, but rather life itself, moving semi-automatically and only dimly conscious of its own impulses and ideals. The law of the type transforms itself slowly into an apprehension of its own contents. Indeed, even good will itself requires a certain measure of abstraction before it can be apprehended as a motive or law. It always first appears in some concrete form, and in the undeveloped mind has no meaning apart from that form.

If the moral ideal were clearly defined or sharply

conceived, the ethical problem would be a simple one. And it is conceivable that there should be moral beings for whom this should be the case. There might be a simplicity of nature, or a measure of insight, which would leave no room for question. Unfortunately, this is not the case with men. Our entire life is subject to development, and we come only gradually to ourselves. Our nature, too, is complex, and all its factors have their place and function. We have, then, to await the development of these factors, and then to determine their relative rank and their quantitative measure. Hence the ideal does not admit of exhaustive definition; and it exists in any given circumstances chiefly in a perception of the direction in which human worth and dignity lie. Hence its actual contents vary with mental and moral development, but the sense of direction is fairly constant. From the mental standpoint of the savage, his moral judgments are correct. As in all measurements there is at bottom an indescribable element of more or less which cannot be inverted and which is the condition of all quantitative judgments, so in moral judgments there is at bottom a fixed perception of the direction and difference of up and down. And with the enlargement of knowledge and the unfolding of life, comes an enlargement of the ideal. This moral ideal is like the corresponding ideal in the pure intellect. Here, too, we have an ideal only partially grasped and gradually evolving, yet the final court of appeal concerning all that is rational; as the moral ideal is the court of appeal concerning what is morally right.

For the authority of this ideal, there is no warrant but the soul itself, just as for the truths of the pure intellect there is no warrant but the soul itself. Bearing in mind that there is no question here of what we are to do in the way of concrete codes, but rather what we are to be, it is plain that this ideal can never be estimated by any one for any other. The data themselves are purely subjective and admit of no objective presentation. Like the simple experiences of sense, they can be known only in immediate experience. No one can interpret to us what hunger and pain, ease and comfort mean, except as we have the key in ourselves. In the same way, the noble and honorable, the base and shameful are words whose meaning must first be learned within. In this matter our estimate of ourselves must precede any estimate of others. We may condemn an act as hurtful, but when it comes to the moral judgment of a person, there is no way but to compare our conception of his motives and mental states with the similar ones in ourselves, and await the immediate reaction of our nature. Apart from the good done, we esteem the doer. Apart from the mischief of an evil deed, we have scorn and contempt for the abjectness and baseness of soul revealed. We should have no better opinion of Titus Oates, Judge Jeffreys, and Judas Iscariot, if they were reduced to absolute harmlessness. What they did was not so bad as what they were. What these things mean must be learned in consciousness itself. We can learn them from others as little as we can learn from others what it is to be

hungry, or whether we have eaten to our satisfaction.

The traditional attempts to deduce these judgments from the environment or the statute-book, first fail to tell how they arose in the environment, supposing that the claim itself had any meaning, and they next confound the concrete code for outward conduct with the soul's estimate of its own inward life. If morals were exhausted in the code, much might be said for experience and the environment and even for the statute-book; but it is simply fatuous to look to them for the subjective side of morality. Hume has put the matter well: "Had nature made no original moral distinctions independently of education, distinctions founded on the original constitution of the mind, the words *honorable* and *shameful*, *lovely* and *odious*, *noble* and *despicable*, had never had place in any language; nor could politicians, had they invented those terms, ever have been able to render them intelligible, or make them convey any idea to the audience." *

If now we ask for the authority of this ideal, we do not get by any means so clear an answer as in the case of the simple law of good will. That stands in its own right and is its own justification. But when we ask why one is obliged to seek his own perfection, the answers are rather uncertain. Probably, expressed abstractly, the average man would not regard it as a duty at all; for average

* "Inquiry Concerning Principles of Morals," sect. v., "Why Utility Pleases."

morality is nearly exhausted in a recognition of the conventional code. The answer has sometimes been found in the law of the type. We judge things as perfect or imperfect as they agree or disagree with the law of their class. When anything falls below the normal development, we have a sense of failure. The thing does not correspond to its idea, and is in a bad way. In the same way, we think of human beings as called upon to realize a certain idea; and as the realization of this idea is partly in their own power, the constraint of the type, which mechanically realizes itself in the lower orders of animate nature, transforms itself into duty for men.

This idea is not without attraction for the speculative intelligence, though it can hardly claim to find support in consciousness. It does, however, find support in spontaneous language. To be a man, a true man, to act like a man, are among the highest terms of commendation; while the opposite are among our severest forms of condemnation. There is also a general condemnation of all those who fall below what has been fixed upon as the standard of manhood. In such cases, a sense of the duty to realize the typical idea manifests itself unmistakably. But if we are to make this universal, we must assume that the true and highest good of man lies in realizing his typical perfection, so that while a nature less nobly endowed might safely rest on a lower plane, man can neither safely nor honorably stop short of his best. While a better is in sight, we can rest in no good; and the refusal to move onward is to be a traitor to the highest, and so, finally, to the good

itself. The notion is further complicated with the theistic implications of the notion of the type. The refusal to move on to the best is to decline the end the Creator intended, and to transgress his will. But none of these things are clearly given in the common consciousness; and men struggle on with a dim sense of an ideal whose obligation is more or less dimly recognized; and the ground of whose obligation is for the most part ignored. In religious thought, of course, it is bound up with the religious conception. In practice, the received code takes the place of the ideal for the conventional conscience. It is only when criticism compels inquiry or revision, that the presence of the ideal makes itself manifest. At all other times the passive conscience acquiesces in traditional and institutional morality.

The ideal as such lies beyond actual attainment. When developed, it far transcends our real state, and thus it gives rise to a peculiar set of facts. On the one hand, it seems to be a moral axiom that no one can be to blame for what cannot be helped, and that no one is bound to do what is impossible. On the other hand, we condemn ourselves in a certain way even for unavoidable imperfection. To be sick by no fault of our own is still to be sick; and to be constitutionally imbecile does not remove the imbecility. In the same way we may inherit abnormal moral tendencies, but the fact of inheritance does not diminish their abnormality. Two things are confused here, the simple ethical ideal and the question of personal merit and demerit. Merit and

demerit, duty and obligation are measured by ability only, but the ideal transcends it. This is the essential nature of an ideal; it makes no allowances, but simply holds up a standard. All that falls below it is condemned as imperfect. Moreover, the ideal itself grows, and always keeps in advance. It is this fact which provides for indefinite moral progress, and forbids us ever to find satisfaction in any actual attainment, or actual obedience. From the side of the ideal, all are condemned. From the side of ability, the question is very different. Many of the ethical disputes in theology arise from overlooking this double point of view.

Here a fact reappears which has been already dwelt upon. The moral judgment goes deeper than the act and the volition. From the standpoint of the ideal, we judge the entire man, not merely in what he does, but also in what he is. We demand not merely that the will be right, but that the heart be right also. From the side of merit, we may say that the more difficulty in doing a good deed the better the deed; as when the will struggles with passion, or self-interest, and only by mighty effort overcomes. But from the side of the ideal, we must say that the easier the deed the better; as when the will and desires move together in well-doing, and righteousness has become incarnate in the entire nature.

This ideal contains two elements, a conception of what man ought to be and one of what he ought to do. The unfolding of the former gives us the scheme of the virtues. The negative and correla-

tive pole of this scheme gives us the vices. Moving inward from the deed to the doer, we find at once the personal source and the personal incarnation of the deeds. Here we come upon life itself, and we judge it not only by its intermittent manifestations but by its abiding principle. This is character, the final object of all moral approval or condemnation.

The law of good will and its implications, the ill desert of the evil will, a human ideal more or less clearly perceived and the obligation of which is more or less strongly felt, but both of which are growing with the unfolding of humanity and the enlargement of knowledge—these constitute in principle the moral outfit of the race from the subjective side. And we see the race working more or less unconsciously under the influence of these principles, striving to formulate them into codes which shall best express them, striving also to become more conscious of its own aims, and gradually building itself into that inward and outward development which shall satisfy at once the demand for outward fortune and happiness, and for inward worth and peace. Only the fanatical theorist can fail to see both these subjective elements and also the growing appreciation of consequences active in human development; and only the same ill-starred being can have any interest in wishing it otherwise.

CHAPTER V

DEVELOPMENT IN MORALS

WHENEVER we speak of development in morals, especially if we use the terminology of evolution, all those to whom a little learning has proved an uncommonly dangerous thing are sure to suppose that this means the transformation of animal instinct and impulses into moral elements. But while the transformation is insisted upon, it is tacitly disallowed; for these moral elements are supposed to be not properly moral, but only disguised animal desires after all. The fatuity and misunderstanding of this traditional contention have been sufficiently considered in the Introduction.

Development, however, in the sense of the gradual moralization of life and conduct is a manifest fact in our moral history. The reason lies in the further fact that our life in all its departments begins as a potentiality, rather than an actuality. Physically, mentally, and morally, the human being is little more than a possibility at the start, or, as Amiel has it, a candidate for humanity. He is not rational but a candidate for rationality. He is not moral but a candidate for morality. He is only a candidate in respect to all those things that belong to ideal humanity. From this zero stage man

emerges, partly by the force of nature, and partly by his own effort. His true self is not given, but is something to be attained or won.

Hence, in the development of man, we find several leading factors. First, we have a body of instincts, appetites, and passions which lie back of all volition as expressions of our nature itself. These give our life a certain form and direction on their own account. They are neither reasoned principles, nor inventions of our own; but are the outcome of our constitution. This system of appetites, passions, and instincts serves to initiate us into life, and to prepare the way for the higher moral and rational activity. With the cattle, this system seems to be the only driving force in their development. They are not called to self-development, and their life goes on mechanically.

But with man this automatic form of life is only the beginning; and it needs to be supplemented by the rational and moral activity of the free spirit. This is the second leading factor in our unfolding. Here man becomes free and conscious of his aims. Here he assumes control of himself, and sets himself to perfect and complete that development which begins automatically, but is carried on only by freedom. Here the constitutional becomes moral; and the natural rises to the plane of the spiritual. To effect just this change, to lift the natural and instinctive to the plane of the rational and spiritual, to bring nature under the control of right reason and to develop nature in accordance with right reason—this is the normal function of freedom in human life.

But this freedom may serve to lift up the natural or to drag it down. Hence, a third factor in our life. This is the evil, the selfish will, which misuses its freedom, and seeks to exploit the world and society for its own private interest and amusement. This is the prolific source of the wrongs, the oppressions, the outrages, the basenesses, the infamies of history.

But there is no occasion to resort to this third factor in order to explain the embryonic and imperfect condition of our moral life. This results necessarily from the relation of the moral to the natural. Many abnormalities of life arise from a willingness to do wrong; but many more are due to the imperfection of man, considered as a being who has to develop from the animal to the moral. We are for the most part on the plane of the natural, the physical, the animal even; and our lives are only to a very slight extent moralized and rationalized. We lack knowledge, seriousness, thoughtfulness, self-control; and any passion that competes for us has us. Hence the strange confusion of human life. It is not simply an instinctive animal life like that of the cattle; nor is it a life of rational and moral self-possession such as we conceive that of the angel to be; but it is a life which has to pass from the former to the latter, and one in which the passage is only very imperfectly made. Everywhere we find the natural, the instinctive, the animal, only half humanized. Instead of reason, prejudice; instead of argument, appeals to passion. Abundant likes and dislikes, all irrational. Abounding en-

thusiasm for worthless objects, and a strange deadness toward things reverend and worthy. To the psychologist this is perfectly intelligible. It is the necessary outcome of our nature when uncontrolled by right reason.

The embryonic and infantile character of human life in its upper ranges deserves further consideration. We need not betake ourselves to savage lands to discover it; for we have abundant evidence among ourselves. As yet reason and conscience play a very small part in the ordering and control even of mature life. Personal, tribal, and national antipathies and prejudices, notions of honor or patriotism, most of which have neither moral nor rational standing, are illustrations. Society itself is held together, less by rational appreciation and moral devotion, than by something analogous to the herding instinct of the cattle. This instinct binds men together, and subjects them to the general law of the herd; and it does this so well that, in the lower ranges of society, the individual has no rights, and even no thought of rights, as against the tribe. This utter subjection of the individual is the only thing which saves rudimentary societies from anarchy. There being no proper thought or knowledge, the instinct, or consolidated experience, of the mass is a far safer guide than the whimsey of the individual. The form of human development makes mental and moral tutelage a necessity for a large part of the race; and nothing can well be more ludicrous than a person who assumes to be in-

dependent while his development corresponds to the state of tutelage. The professional freethinker is an excellent illustration. He insists on thinking for himself before he has learned to think at all. Such a procedure, while amusing in sporadic cases, is perilous when it becomes epidemic. Hence the herding instinct is a necessary factor in the beginning of society. It does not bring social development very far, but it makes a foundation on which something better may be built. Indeed, the most advanced society is far from being able to dispense with it. A large part of patriotism and national feeling is only one phase of this instinct, complicated with our native pugnacity.

We find the same thing underlying minor social groups. There is no political association held together by a rational grasp of principles. The bond is of a non-rational sort. Hence the need of torchlight processions, brass bands, monster rallies, fireworks, transparencies, and stump speeches; none of which can be looked upon as having any elements of rationality.

Religious denominations are equally dependent upon the herding instinct as a bond of union. Very few of their members have any rational insight into the questions involved. The belief is mostly inherited and blindly maintained. Words and names serve as a sufficient rallying-cry; and, if anything more is needed, animal pugnacity is at hand. In this field especially, ignorance is the mother of devotion; only the devotion is not of a high grade.

If we consider the formal moral life of the individual, we find the same immaturity. The first thing that strikes us here is that the vast majority of men have no properly moral aims at all. They are absorbed chiefly in the pursuit of things external to themselves, which minister in no way to their mental or spiritual enlargement. The life is mainly animal, and seldom rises above the plane of psychological instincts and impulses. The things upon which human beings pride themselves make a sad list for one who is trying to view men as children of the Highest, or even as the rational animals of Aristotle.

And not only are our notions of duty limited, but in the performance of what is agreed upon as duty, we are often swayed by other than moral motives—say pride, sympathy, love of approval or applause, regard for public opinion, fear of external consequences, etc. These are not immoral motives, neither are they moral. They are rather psychological motives founded in our nature; and they often serve as valuable moral auxiliaries. Indeed, in the embryonic condition of the moral life generally, we cannot afford to dispense with these motives in the development of men and society. They are the analogues in moral development of rewards, prizes, and penalties in the mental development of children. The latter often serve to supplement a weak or wanting intellectual interest, and help to a development otherwise unattainable. Acording to Adam Smith, "the great secret of education is to direct vanity to proper objects." The motive is not the

highest, but it is adapted to the grade of development. And as the appeal to the pure love of knowledge is often inefficient with children unless reenforced by other motives, so the appeal to simple duty is largely powerless to stir men unless aided by other motives. This admixture of lower motives is everywhere apparent. Probably no good work of any moment was ever yet carried through without their support. No nation can depend on pure patriotism alone. Hire and salary must also be considered. Even religion finds it necessary to offer attractions which are not strictly of an ideal type. Hence the unpleasant impression so often made by a close acquaintance with heroes, patriots, and saints. We are disturbed and shocked to find the golden image with feet of clay. Prejudices, vanities, selfishness, unseen and unsuspected at a distance, are revealed on closer inspection. These things are not necessarily, nor even commonly, signs of hypocrisy. They are rather in most cases the result of an imperfect moralization of the person, a necessary phase of human life in its slow transition from the animal and natural to the moral and spiritual. Ignorance, passion, prejudice are still present and, upon occasion, stand revealed. Indeed, these godly men are often among the grittiest when their prejudices or supposed interests are involved, especially if they chance to take a religious turn. The history of the Christian church, even in our own time, abounds in instructive illustration. It would indeed be gross injustice to call such men hypocrites; but certainly we must allow that in

their case that which is perfect has not yet come, and that they do not always know what spirit they are of.

Life and social development, then, are not carried on mainly by moral motives but rather by natural ones. This, indeed, is not an order in which we can rest; for until the natural is lifted to the plane of the rational and spiritual, perfect life cannot be reached; but, as a temporary order, it is made necessary by the form of our development. It is probable that thus far human progress owes far more to our self-regarding activities, and, in this sense, to selfishness, than it does to conscious moral effort. The simple desire for property, without any high moral or social aims, has helped society on, possibly more than any other factor of our nature. It is beyond question that the institution of property has been one of the most potent forces in our moral development. As an end, wealth may deserve all the condemnation which has been heaped upon it, but as an instrument, its significance for all sides of our life cannot easily be over-estimated.

Facts of the kind we have been considering easily lend themselves to a shallow cynicism. In truth, however, they only imply our moral incompleteness, and, rightly considered, they are the great ground of charity in our moral judgments of men.

It is, then, a somewhat variegated spectacle that human life presents in its moral aspects. We have neither the satisfied animalism of the cattle, nor the serene moral self-possession of the angel, but a being who has to effect his own transition from the

animal and automatic to the moral and free. Of course, anywhere along this line the will to do right is possible, and thus moral character is possible. The weak, the silly, the savage may be faithful to their ideals of right. This loyalty is not reserved for the great, the wealthy, the learned, the men of genius; but it is possible also to the ignorant and feeble-minded, to the poor widow over against the treasury, and to Lazarus at the rich man's gate. But this will to do right in no way implies the perfection of the moral life, but only its central element and its indispensable condition. The will must be realized in fitting forms, and the entire life be made an expression of right reason before that which is perfect can come.

Moral development may take three general directions: First, the unfolding of the moral ideal and the strengthening of the sense of duty; secondly, the application of principles possessed to action or to the formation of a corresponding code and the development of institutions; thirdly, the extension of the moral field. The last form is double. The moral field may be extended by bringing more and more of our acts under the head of duty, and by recognizing that we owe duties to beings who have hitherto not been included within our ethical sphere. The first form of development is within the moral person himself. The second form implies an extension of practical wisdom, so that the moral principles do not lose their way by misdirection, but are embodied in more and more fitting forms.

The third form implies the gradual extension of the law of duty over the entire life of the individual and of society, and also the inclusion of at least all human beings within the sphere of moral relations. In none of these respects is the moral life perfect. Men in general need a higher ideal and a stronger sense of duty. They also need more wisdom in the application of moral principles to practical life; and finally, they need to give a moral form to their entire life and to bring all human beings within the moral area where mutual rights and duties are recognized.

The development of the ideal is a highly complex matter. Its most important factor is the will to do right. Where this is present, the most important element in moral development is given; and without it, moral life sinks into merely natural life. Unfortunately, speculation knows of no way of compelling men to be willing to do right. It can only tell men what they ought to be and do, and leave them to supply the willingness to obey. The ideal also is bound up with our general conception of the meaning and destiny of human life. If we form a low estimate of these, the ideal will be low to correspond. Historically, the most important force in raising the moral ideal of humanity was the appearance in history of Jesus of Nazareth, his influence depending especially upon what he was, and also upon his thought of man and man's destiny.

The second direction of development relates to the application of moral principles to life, or to the formation of a code. This, however, does not mean

that men began with abstract principles and then embodied them in codes. On the contrary, the moral life began spontaneously, and when reflection began it found a more or less developed system of duties already existing. With regard to this system, or the great practical forms of life, the family, the state, etc., reflection has not the function of creation but only of criticism. But as these spontaneous forms are never perfect in their own realm, and are very limited in their range, there is need both of rectification and of extension. In this sense, then, we may speak of moral development arising from the specification of moral principles into codes.

The need of this development is manifest. Not only must our activity have a moral form, it must also be in accord with the nature of things. If we suppose a man to act entirely from good will and thus to satisfy the formal moral demand upon him, it is plain that only half of the practical problem has been solved. He must next consider how best to apply this principle; and not until the right principle has been specified into a corresponding code will the theory be complete. Until then, the good will may lose its way through ignorance of human nature, of physical nature, and of social and economic laws. Indeed, this is what has often happened in human history. A large part of benevolent activity has been thwarted and brought to naught, if not to positive mischief, by sociological and economic ignorance. Of good will working for the prevention of evil by encouraging thrift and by bettering physical and social conditions, we have

had all too little; and that little has commonly been unwise.

This development of moral principles into a comprehensive code for life is all the more necessary from the fact, that social development has largely gone on without reference to moral ideas. This is so much the case in the two great fields of economics and legislation, that the notion has become very prevalent that morals have nothing to do with law and business, and that, not merely as a statement of fact, about which there would be little dispute, but as a proper division of labor. Of course the particular results in any field can never be determined by abstract moral ideas; yet ethics reserves the right to prescribe the aim and general principles of development in every field of life.

This development of a code must be inspired by good will, and guided by experience of consequences. If we find the ruling code in conflict with the common good, it is manifest that we are on the wrong track. Or if we find it indifferent to the common good, it has plainly lost its reason for existence. If we had perfect insight into consequences, we should need no code whatever beyond that insight and the moral ideal, and could manage each case by itself. But as we have no such insight, we have to specify the law of good will into general and well understood rules, under which particular cases may be subsumed. Such are the formal principles of conduct, the doctrine of rights, and all the moral customs of society. These seem to be direct expressions of the moral nature, but, in fact, they are only

the form in which the moral nature develops under the special circumstances of human life. Most of them would have no meaning, if the circumstances of life were changed.

The difficulty of the problem is much increased by the complexity of its factors. If mere good feeling were the only good, the matter would be relatively simple; but as the aim is to develop ideal life, we have carefully to study the bearing of our action upon this end; and this involves a careful study of human nature itself. The law of love remains absolute as a disposition, but in application it receives many limitations, arising from the nature and circumstances of the individual. Too much help is found to be a damage to all concerned. The individual needs a sphere in which he is responsible for himself, and is also free from all uninvited interference, however well meant. He needs to know what he may demand from others, what he may expect from them, and to what extent he must rely upon himself. The enforcement of a large measure of self-dependence on the part of all who are not disabled is the supreme condition of human progress. The stings and lashes of hunger and cold are the only things competent to stir the inertia of multitudes of human beings. In addition, social and economic laws have to be mastered. No amount of good will can prevent economic misconceptions from working disastrously; as no amount of good will can excuse a farmer from the necessity of studying the laws of vegetation.

The good will also needs some quantitative meas-

ure in manifestation. In this way a limit is set in practice, and a rule is given for expectation. The same need is found in the manifestation of all the virtues. As dispositions they are always binding; but the concrete duty must have a measure. This field abounds in uncertainty and embarrassment until some limit is set; and the conscientious man feels it most. The customs of society supply a rule in such cases. How far shall gratitude go in manifestation? The disposition contains no limitation, but in practice we have to fix a limit. Humanity makes some of its most mortifying exhibitions in connection with this virtue. Of course, ingratitude is unspeakably base; yet the benefactor is rarely a safe judge of the merits of his deed. In general, humanity is so coarse-grained that a favor commonly costs all it is worth before one is done with it.

The moral nature primarily commands no concrete action, but gives only the spirit from which action should spring. The corresponding action is learned from experience. But in a world like ours, with its fixed laws and relations, certain fundamental forms of conduct are quickly discerned; and the inner principle necessarily comes to find expression in these forms. In this way, these forms come to be regarded as having all the sacredness of the principle itself, and as being an immediate utterance of conscience. In this way, also, a conventional conscience is reached which often becomes a refuge for prejudice and superstition. The form of conduct is exalted above its living spirit. This is especially seen in religious ethics, where the code of duties often

runs off into purely artificial commands without any real connection with either utility or reverence. Whether to make the sign of the cross with two fingers or three has been an ethical question of great importance, while the reverence of capital letters is something which it is impious to withhold. Failure in observing some minute ecclesiastical regulation is viewed as worse than a violation of justice or good will. Facts of this kind, and the ease with which the conventional conscience can be induced to sanction anything traditional, lend some color to the utilitarian claim that the appeal to conscience in ethics is to appeal from reason to bigotry and superstition. It might have been added that, in not a few cases, the appeal to conscience is the last and favorite resource of hypocrisy.

The system of concrete actions, that is, our code of conduct, is subject to change. When a form of conduct which has been supposed obligatory is found to be indifferent or pernicious in its outcome, we change at last our moral estimate. Or when conduct which has been supposed indifferent is found to have good or evil results, we command or prohibit accordingly. Only in this way do our codes become expressions of the rational good will which they ought to embody. In this way, also, many absurdities are eliminated from our codes, and conscience is extended over larger and larger fields. The growth of society brings with it new forms of duty and new forms of crime. Neither class is at first recognized as such. There is no moral conviction

on the subject; but if the moral spirit live within us, the conviction is sure to come. Drinking, gambling, and various pernicious forms of business activity are cases in point. Hence the good man of to-day will regard as duty many things which were not so regarded in the times of Augustus Cæsar. He will also disallow many things which were then permitted. Consequences have declared themselves; knowledge has increased; the meaning of life has deepened; and the ideal of humanity has enlarged. Accordingly, the man who to-day seeks to live in the spirit of good will and helpfulness will have a code very different in details from that of his equally devoted brother in ancient Rome.

This development takes especially the direction of social ethics in distinction from individual ethics. The average man has commonly no conscience in public duties, his insight, such as it is, extending only to personal relations. Even those who regard conventional morality in personal matters are often wofully lacking in cases where the public interests are concerned. This also is largely due to thoughtlessness and immaturity. There is not thought enough to see that the social order is the only thing which makes individual development possible, and that in its support every one should bear his part.

Hence there is not only a very general willingness to shirk public burdens, but, apparently, there is often an implicit assumption of a natural right to plunder the public. Public interests are a common where every one may forage for himself. And this notion is not confined by any means to the rude

laborer who seeks a position on the public works for revenue only; but we are often surprised at finding persons of reputation, social standing, and even of supposed character making extravagant and fraudulent demands for services rendered, for property sold, for alleged damages, etc., in cases where the public is concerned. These things by no means always imply conscious wrong-doing. They are rather due to the fact that the individual has not reached the conception of social duties at all. Meanwhile, the lack of insight and moral devotion has to be supplemented by laws and penalties; and the constable takes the place of conscience.

This fact suggests that the development of a moral code is partly identical with the development of law. Law and morality, however, have so often been held apart and even placed in antithesis, that a word as to their ideal relation seems desirable.

We have seen that morality has a subjective and an objective aspect. The former looks to the motive, the disposition, the spirit of the agent. The latter looks only to the objective nature and consequences of the deed. In concrete ethics, we must have both the good will and the appropriate manifestation. As life develops, the fitting forms of action are gradually recognized and become customs and conventions. When society perceives the appropriateness and necessity of these customs for human life and development, and authoritatively imposes them upon its members, then they become laws. Or if society by direct study of its problems, sees that certain courses of action must be furthered, and others

forbidden, in order that the common good may be secured, it may command or prohibit, and thus again we reach laws. In both of these cases, the laws are but objective expressions of the moral spirit. They are objective morality turned into statutes. This is the ideal relation of law and morality. Historically, of course, this ideal has not always been regarded; and yet even in the worst-governed countries the great body of law has been essentially a moral institution.

Law, then, has a moral root and should have a moral aim. Morals, on the other hand, must express itself to some extent in law. But only to some extent. And this leads to a limitation of the legal field. The moral field is unlimited, but the legal field is necessarily limited. The common division of labor between the legal and the moral consists in turning over the subjective aspects of action to morals, while law has to do with deeds and their consequences. This division is unsatisfactory, and we reach the same result in a better way, by recognizing that the legal field lies within the moral field but is far from being co-extensive with it. The law confines itself to deeds and does not attempt to control the inner life. This may be never so immoral, but it lies beyond the reach of the law. Again, evil deeds lie mostly beyond the reach of the law. No law can cope with bad husbands, disobedient children, grasping landlords, wasteful tenants, rapacious capitalists, and unprincipled laborers. Gradually, society has learned to limit the field of law to certain definite matters, and

to leave all beyond them to morals and public opinion.

The fancy that morals and law are two mutually independent realms arises partly from a failure to notice the moral ideas implicit in every legal system, and partly from the fact that, in most legislation, we have no moral dispute but only a question of practical expediency. In such cases, it seems as if legislation were unrelated to morals. Indeed, it is along this line that we find the true distinction between ethics and the other practical sciences. Ethics claims to supervise their aims, but it cannot dictate to them their results or methods. In so far, law and economics are independent sciences, but only in so far.

In general, law is a most important factor in our moral evolution. It is based upon moral ideas; and it gives them an exactness and authority which they would be long in reaching without law. It also serves to secure right conduct in advance of the best motives. In the field of public duties especially, law is generally in advance of the morality of the average individual. In such cases, the institutional morality of law furnishes the individual an important guide and impulse to development.

And here seems to be as good a place as any for a word on the value of "moral legislation," that is, legislation which aims at the moral improvement of the community. Such legislation is commonly denounced as futile, if it be not a violation of personal liberty. Men, it is said, cannot be made moral by legislation. The reason alleged is that morality,

being purely subjective, cannot be reached or commanded by law. But this is quite aside from the point. Law looks not to intentions but to deeds; and by the prevention of deeds, it may purify the social atmosphere to a notable extent. If the law can make a given type of deed unprofitable, it will moralize society by diminishing the temptation in that direction. Moreover, as we have seen, morality has an objective as well as a subjective aspect. Objective, or material right is founded in the nature of things, and is altogether independent of the agent's motives. The ideal, indeed, is not reached until the pure motive is joined to the right act; but, in the mean time, right forms of action, apart from any consideration of motive, are of immense significance in the moral development of society. For those who are mentally and morally undeveloped, an authority which prescribes such forms does a most beneficent work; and the sanctions and penalties it affixes take the place of a weak or wanting moral interest, to the great advantage of all concerned. Indeed, one of the very chiefest ways of moralizing men is by impartial legislation in the interest of humanity. In default of moral self-control, law and penalty must take the place of conscience, and may help greatly in its development. The laws against cruelty to animals have helped to quicken a dormant humanity. The legislation concerning the employment of women and children and that protecting workmen against needless risks have been of service. Such legislation, by making wrong-doing unprofitable, takes the place of con-

science, and is also a valuable object-lesson in morals. We conclude that the objection to moral legislation is a falsism under the form of a truism. Laws may help and laws may hinder. Laws establishing lotteries may be the source of great demoralization. Laws securing the secrecy of the ballot may be potent factors in political reform.

The non-moralized condition of art, literature, trade, politics, diplomacy, and international relations is evident upon inspection. Some of these, indeed, notably art and literature, have furnished themselves with an extensive list of epithets, smacking strongly of fleshly cant, for expressing resentment at the intrusion of morals into their realm. The practical politician, of course, would need at least the gift of tongues, to express his feelings concerning the apparition of conscience in politics.

The various moral customs and laws of society must be looked upon as attempts to specify the living principle of good will so as best to secure its ends. A double error is possible in connection with them:

First, we may content ourselves with a lifeless observance of the forms. The result is legalism, pharisaism, and the worthless good works which theology very properly denounces. This error is encouraged by the tendency in political philosophy to view life exclusively from the jural point of view, according to which rights only are considered, and these are limited to such as may be legally demanded.

Secondly, these forms are never exhaustive ex-

pressions of duty, but only general outlines. Hence they always need to be supplemented by the free moral spirit. The person who recognizes no duty beyond what can be legally demanded is commonly not moral at all, since he performs his duties, not from free devotion and good will, but from fear of consequences. But duty itself, except in its inner spirit, admits of no exhaustive expression. The moral spirit is indefinitely greater than any moral code. In the application of principles, there will always be a field for moral originality for which no law can be laid down. Hence, there will always be a formulated and an unformulated division in ethics. Obedience in the former is often mechanical and pharisaical; it is in the latter especially that we come upon the true spirit of a life. As in the organism, the life is not in the formed matter, but rather in the formless bioplasts; so here the moral life is manifested, less in the formed code, than in the larger field where the spirit is a law unto itself. Here is the seat of moral taste, thoughtfulness, sympathy, and myriad graces of character which are at once indefinable and indispensable. He who lacks them finds his analogue in the social world in the person who must consult a book on etiquette to learn how to behave.

These general forms may also need at times to be set aside, on the principle that the law was made for man and not man for the law. Such cases, of course, can arise only under abnormal circumstances; and whoever departs from recognized moral forms does so at his own risk. These forms

have a wonderful way of vindicating themselves; but, on the other hand, a man who should bring down the heavens by an act of formal justice could hardly vindicate himself by claiming that he had no responsibility for consequences, or by repeating a scrap of Latin. The ox or the ass may be pulled out of the pit on the Sabbath day. A principle is sometimes better maintained by breaking the rule than by obeying it. But here again, no law can be laid down. Practically, the outcome will be that departures from conventional morality will be approved when they succeed, and condemned when they fail.

But this seems so much like tampering with the moral law, if, indeed, it be not another form of the notorious principle, the end justifies the means, that we must devote another word to it. Inward unfaithfulness and dishonesty are always condemned. The moral conventions of society also are, for the most part, the conditions of social order; and to depart from them is a step toward anarchy and a war of all against all. Hence a mind, not diabolic, can be little less than insane which proposes to pursue a good end, say the glory of God or the reformation of society, by ignoring the essential conditions of moral living. It is only in cases where the letter and the spirit are in plain opposition, that there can be any thought of sacrificing the former to the latter.

The third direction of moral development, we said, concerns the extension of the moral sphere.

We have already pointed out that the average life is lived largely on the plane of nature, and is determined more by psychological impulses than by moral motives. The amount of this unreclaimed wild land is beyond computation. Reference has already been made to the lack of conscience on social duties. In politics it is very common to find persons who, while quite exemplary in private life, take their party for their conscience. In the political action of the private citizen, it is all too rare to find righteousness considered at all. This is Cæsar's field. In private life, again, it is only too apparent that a thoughtful reflection upon what is wise and right is seldom the source of action. If a few of the conventional moralities are regarded, the claims of duty are all met. Of the need of making the whole life an expression of good will and right reason, there is little apprehension. Intemperance in food and drink, indifference to one's own health, thus entailing often great loss and cost upon others, idleness, content in ignorance and helplessness are crimes. The chief sins against humanity, which do not involve positive malevolence, are to be found in this field; and yet so little are we developed, that we scarcely recognize these things as crimes at all. The duty, in contracting marriage, of considering the welfare of the possible children; the duty of regarding sanitary laws in a community, for the sake of others, if not for one's own; it can hardly be said that there is any general sense of duty on such matters. Meanwhile, the indifference and ignorance are punished by the ill health of multitudes

and by the death of a half of the race in the first few years of life. If these things were intentionally done, they would be murder. As it is, they are only ignorant and thoughtless homicide.

There is, then, unlimited room for development in the way of extending the control of right reason and good will in the individual life. The other direction in which the moral field may be extended lies in including more and more persons within the sphere of moral relations. In this respect, the moral history of the race has shown a most distressing slowness of development. Morality has generally been family and tribal, and even yet it remains largely national and racial. Formerly, the stranger was commonly viewed as an enemy without rights; and even now he is often regarded as one to be exploited for our own amusement or profit. The most arbitrary distinctions still limit our sympathy and affect our sense of obligation. Differences of clothing, diet, color, features, occupation, language, sect, nation serve to found prejudices and dislikes which influence our moral attitude, and from which the best of us are far from free. It is hard to think of a physical deformity or enormity as not warranting a different bearing, while imbecility is always a lawful butt. What is the psychological basis of such prejudices, it would be hard to say. They have many analogies in the animal world; and in any case their historical influence has been very great. They have been the raw material of a good deal of patriotism and of various forms of loyalty.

And, in spite of the disclaimer just made, the explanation of these facts may not be so far to seek. They seem to be low and grotesque specifications of the general fact that any living sympathy and deep sense of obligation, as men are constituted, are conditioned by the recognition of a common nature or of some common interest. Not until men recognize themselves as belonging to a common kind, or common group, do they recognize any mutual claims or obligation. It is this fact which underlies the immense significance of institutions for the moral life of men. They furnish the bond of fellowship, and thus furnish a field for the unselfish life. The family, the state, and the church do this for humanity universally. Minor institutions do it in a lesser degree. Nor will moral progress be reached by emancipating man from the influence of this fact of human nature, but rather by enlarging and exalting the idea of humanity itself, until it shall include all lower kinds and abolish all artificial differences.

But with influences of the kind described largely determining the mutual attitude of national and tribal groups, it is not strange that the international activities of men have not been guided by high moral aims. The predatory character of early tribes made such aims impossible. The stranger *was* an enemy. It has been a long and bloody way from those predatory beginnings to industrial civilization; and even yet the old hostility has by no means vanished. Witness the armed condition of Europe.

Of duties to animals, there has been little recognition, and less appreciation, except by a few. Long ago it was declared that the merciful man regardeth the life of his beast; but in general the dealings of man with the animal world have been a revolting round of brutalities. Here also there is room for extending the moral area, not less for the sake of man himself, than for the sake of the animals. Macaulay is supposed to have made an exquisite hit when he declared that the Puritans were opposed to bear-baiting because it pleased the spectators, and not because it gave pain to the bear. No better reason could be given for suppressing the sport than its brutalizing effect upon the spectators. The perfect development of the human kingdom upon earth involves no less than the development and harmony of the animal kingdom and even of the vegetable kingdom, with their mischievous and destructive elements removed or controlled as far as may be, and with all their possibilities unfolding under the guidance of human intelligence. The direction and nature of terrestrial life are coming more and more under human control; and if there were in man a disposition to fulfil his commission "to dress and to keep" the world in which he has been placed, it would not be difficult to turn the earth into a garden of the Lord.

The extension of the moral area so as to include more and more persons has been, and still is, conditioned by two leading factors, peaceful intercourse and the Christian comprehension of all men as

children of a common Father. Not even the latter can dispense with the former. For, as a rule, our sense of obligation is limited by our sympathy; and sympathy depends on some measure of acquaintance and power of imagination. Neither the sorrows nor the wrongs of strangers can affect us as do those of friends and allies; and without some power of imagination on our part, they cannot affect us at all. Here is a psychological limitation of the moral field which must not be overlooked. Whatever brings men together in peaceful ways, commerce or any form of mutual interest, or whatever helps to a better knowledge of what is going on, the press, the telegraph, etc., tends to the enlargement of sympathy, and thus to the enlargement of the moral area. Education also helps, not merely by extending knowledge, but also, and more particularly, by strengthening the power of imagination, the faculty on which sympathy rests. Of special significance in this matter is the growth of industrial society, which by establishing common interests more and more displaces the predatory type of thought and society. Of course these things need to be supplemented by the religious and moral conception in order to reach any high result or any secure rational basis; but it is historically plain that that conception contrives to remain largely inoperative, until practical life develops some measure of intercourse and mutual understanding.

From all these considerations it is plain that the complete moralization of life is a long way off in the future. A prodigious amount of work remains

to be done, both in the individual and in society. Art, literature, trade, commerce, politics, law, the press, the social structure itself, all partake of the imperfections of humanity, and all need to be redeemed, not indeed, as we have already said, in the interest of a narrow ascetic, or ecclesiastical, morality, but in the interests of that large, ideal human life to which they all should minister. One can easily comprehend that art and literature should revolt against an ethics of the type mentioned, and should insist that there are other interests than moral ones, and interests quite as important. It is just this kind of revolt on the part of life that has saved civilization from destruction at the hands of morals and religion. But when ethics is taken in its true sense, as the law of ideal living, its rule must manifestly be made universal; and all that makes against it must be warred upon until it is driven from the face of the earth.

It is plain, too, that we can never reach this end by passively resting in the conventional conscience. This conscience is always being outgrown, and always fails to correspond to the total situation. The great need of our time in practical ethics is the serious and thoughtful application of our intellect and our knowledge to the problems of conduct. Moral progress can be made only as the good will is informed with high ideals, and is guided by the critical reason. With the good will always active and intellect ever alert and critical, bent equally on proving all things and on holding fast all that is good, we may hope for the best things, but on no

other conditions. One great debt to the utilitarian ethics is our inability to rest in conventional and traditional codes which can show no solid reason for their existence. And there is still need for serious and thoughtful criticism. All the way from the motives and aims of the individual life up to the complex structure of civilized society, there is need of light. In particular the sense of social responsibility needs to be immeasurably deepened. Our narrow individualism, combined with the torpor of the conventional conscience, has produced an incredible deadness in this matter. If the lives of very many persons of supposed morality and even of professed religion were openly and avowedly devoted to the materializing and brutalizing of society, they would not be more effective in that direction than they are at present. The evil or selfish will is, of course, a great obstacle to moral progress, but we may well doubt whether ignorance and thoughtlessness are not still greater.

This subject of moral development naturally suggests a question once thought to be of the utmost importance, but which is now seen to be of only secondary interest. We close the chapter by a brief reference to the universality of moral ideas.

The validity of moral principles in no way depends on their being universally recognized. The discovery of tribes below the moral plane would have no more significance for ethics than the discovery of tribes below the rational plane would have for physical science. Sub-moral and sub-rational exist-

ence is always with us in the case of young children; and, if we should find it elsewhere, it would have no greater significance.

This question as to the universality of moral ideas has often been debated on the assumption that the validity of moral principles is involved in the answer. As little need we tremble for mathematics, if some savages were found without the multiplication table. The assumption in question was based upon the various misunderstandings by the sensational philosophy to which reference was made in the Introduction. By means of these mistakes, a large body of writers on ethics have been sent off on a wild-goose chase; and ethical philosophy has been burdened with a great mass of irrelevant discussion. Innumerable deductions of moral faculty have been vouchsafed us, in which flogged curs have played a notable part. Luckily, this philosophy and its four-footed accomplices have had their day. It has finally become clear that the philosophy was only a set of verbal identifications, and that in its best estate it throws no light upon practice. Our duties must depend upon ourselves and our environment as we now are, however we became so. No reflection upon the dogs aforesaid would help to a solution of the socialistic question, or the problem of church and state, or would throw any light on the duty of truth-telling, honesty, etc. As well might we seek to construct a table of logarithms by reflecting profoundly upon the claim that man originally learned to count on his fingers and toes.

The inquiry, then, into the universality of moral

ideas may be looked upon as ethically unimportant, in the form in which it is commonly raised. There is, however, an interest in tracing the unity of the moral nature in its various manifestations.

The considerations of the first part of this chapter lead us to expect great diversity in codes according to the measure of mental and moral development. It was there pointed out that moral conceptions are by no means the only, or the main, driving force of life. There are various passions, impulses, instincts, both selfish and social, rational and irrational, which enter into life, and give it a definite form on their own account. These precede the moral and rational development and furnish the raw material of life; and our moral task is to reduce it to the order of right reason. Pending this reduction, we must expect to find diversity and confusion.

Confining our attention to morals, we find no harmony in the actual codes of men. As already pointed out, there is scarcely any barbarity or horror which has not been at least allowed, and scarcely any puerility or superstition which has not been commanded. The worst of these, however, generally occur in connection with religion, and find some explanation in that fact. In any case, these diversities forbid us to find in concrete codes the immediate object of moral insight. We must look at the principles of action, if we would find agreement. The facts would seem to be somewhat as follows:

First, the feeling of obligation, the idea of a right and a wrong with corresponding duties is universal. At the same time, it must be admitted that the intensity of this feeling and of its emotional attendants is a highly variable quantity.

Secondly, there is a very general agreement in the formal principles of action, and largely in the virtues also. Benevolence, justice, gratitude are approved wherever they are known, and their opposites are condemned. The Proverbs of Solomon and some of the earliest Egyptian writings testify to the constancy of human nature, both in its virtues and in its weaknesses. The observations and advice of those ancient moralists are not antiquated to-day. The Greek moralists are not outgrown. The Indian and Chinese sages reveal a moral nature like ours. The old saints, under all difference of garb and custom, are entirely intelligible in their motives and virtues; and the old sinners need no interpreter.

The differences which exist in the formal principles of conduct concern chiefly the extent of their application. Whether we owe anything to our neighbor has never been a real question. The practical trouble has always lain in the other question, Who is my neighbor? The extent of the moral area, that is, of the field within which we have mutual duties, is variously conceived, the field extending all the way from simple family and tribal limits to humanity, and even to all sensitive existence. The slow growth of inter-tribal morality is a necessary consequence of their historical relations. Tribal and national groups have generally known

no law but that of selfishness and violence; and under such a law there is no place for morality. If the most civilized and Christianized nation should find itself threatened by such groups, it would have no resort but massacre. But within the recognized moral field there is a good degree of moral uniformity. The most marked variations concern, not the principles of social morality, but the things which are compatible with personal morality. And here they are confined especially to the large list of natural impulses, whose evil lies not in themselves but in their excess. Indeed, making due allowance for ignorance and embryonic development, we may well doubt whether savage morality is not quite equal to civilized morality. If the former shows more animalism, the latter shows more diabolism. In our dealings with the lower races, we have little to boast of on any score; and in any civilized community one can find, under hatches, infamy and bestiality enough to satisfy all demands in that line.

Thirdly, the specific contents of the moral ideal are not fixed, but the direction in which the ideal lies is generally discernible. A certain amount of experience and development is necessary in order to give this ideal any richness and complexity of contents; but we find that when we put ourselves in the place of even the savage, his moral judgments are correct from his standpoint. We have in ethics the same fact as in intellect—a potentially infallible standard, with manifold errors in its apprehension and application. We assume a common rational nature, yet there is vast diversity in intellectual

beliefs. But as this diversity and contradiction do not shake our faith in the oneness and community and infallibility of reason, so the similar fact in ethics need not shake our faith in the unity and infallibility of the moral nature. Again, while we are perpetually appealing to reason, we are quite unable to specify its concrete contents with any approach to completeness. Only through long experience, patient reflection, and much labor do we gradually penetrate into its significance; and only a perfect reason could give an exhaustive definition of reason. It is equally impossible to give a complete definition of the moral ideal; and it will be until the ideal itself is realized. All that we can do is to work toward it, and thus understand it better and better.

Janet makes a good suggestion about estimating moral divergencies among different peoples. It is that we should first criticise the accounts themselves, and next that we should distinguish between the moral conceptions and actual practice. Both considerations are important. Travellers' accounts of foreign peoples are always to be criticised. The exigencies of the publisher, or of vanity, are to be duly estimated. The outward and visible life of a strange people is rarely understood. Witness the accounts of American life by European travellers, or the accounts of the French family by foreign lookers-on. Still more difficult is it rightly to estimate the moral life of a stranger people. In conventional codes there is much that is only custom without any foundation in reason; and the unin-

structed critic is sure to confound the lack of the custom with a lack of morality. Here again we find illustration in the extraordinary misconceptions of moral relations among even civilized people who only live across a boundary line, or speak another language. Indeed, even the rank and file of Christians find it hard cordially to admit the Christianity of a neighboring sect whose customs differ much from their own. It is not surprising, therefore, if travellers among savages, themselves often not the most exalted characters and frequently engaged in the most wicked schemes, should fail to get a complete insight into the character of the people. Besides, in no country are the persons with whom travellers come in contact to be taken as specimens of the moral development of the community. To one reflecting upon the difficult and delicate nature of such an inquiry, the easy faith accorded to our travelling ethnologists can only remind him of that primitive credulity which a distinguished philosopher declares to be the most striking feature of the human mind.

In general this appeal to savages and babies, to find what is natural to the human mind, rests on a strange delusion as to the meaning of natural. In the case of anything which is under a law of development, we can find its true nature, not by going back to its crude beginnings, but by studying the finished outcome. The law of the whole, as revealed in the completed manifestation, is the true nature of the thing. Moreover, the question is psychological, rather than ethical; for, however the inquiry

might turn out, our present human duties would remain what they are.

The importance of the second point mentioned, the necessity of distinguishing moral insight from actual conduct, is self-evident. Our own society would make a sorry show, if our moral insight were measured solely from what we do and permit. Even the holiest person finds his life falling far below his ideal; and because of the hardness of men's hearts, the most advanced societies have to permit a great many things which are morally objectionable, but which cannot be helped until men themselves are developed into something better. When the moral cannot be reached, the animal must be put up with. This being the case in the most developed communities, it would be quite surprising if savages, of all men, succeeded in realizing their highest conceptions, or were always faithful to their moral ideal. In the next place, we must remember that the application of our moral principles depends on our mental conceptions, and that in a double way. First, knowledge of reality is needed in order to realize our principles in fitting codes. Doubtless, the aim of physicians from the beginning has been to heal and prevent disease; but the form of treatment must vary with knowledge. The frightful dosers of a century ago were one in aim with the skilled practitioners of to-day. In the same manner, the growth of knowledge, while not producing new moral principles, cannot fail to modify the codes in which those principles are expressed.

But, secondly, the application of moral principles

depends on our mental conceptions in another way. Our conceptions of the worth and significance of humanity, and our general theory of things must have a profound influence upon our theory of conduct. The formal principles of action may remain unchanged, but the outcome will be very different. Thus, a low conception of the sacredness of personality or of the meaning of human life will result in corresponding action. If it does not produce inhumanity, it will certainly tend to indifference. We may not inflict needless pain upon the animals, but, except in this respect, we regard them as having no rights. We enslave them, or exterminate them, at our pleasure; and any effort for their development we may make rests mainly on self-interest. This action on our part rests upon an implicit assumption concerning the relative insignificance of animal life. Or, rather, it should be said that only such an assumption can justify our action; in practice no justification has ever been thought of or desired.

Now when anything similar is found in our conception of human life, somewhat similar action appears in dealing with men. Hence, infanticide, slavery, and ethnic barbarities in general. The divine Plato defended the first as allowable and fitting under certain circumstances. Aristotle viewed slavery as founded in the nature of things; indeed, it found defenders in a large section of Christendom until a very recent period. In both cases the ground of defence was an essential inferiority of nature on the part of the enslaved. And, on the other hand, the practices were condemned on

grounds drawn from the unity of human nature, the greatness of human destiny, and a universal divine redemption. But where these ideas are lacking, it is not surprising that the corresponding conduct should be lacking too.

Many divergencies of conduct also are to be historically understood. Where the alternative is to kill or be killed, there is no room for the refinements. This was practically often the case with the early tribes and nations. There was no solution but slaughter. On this state, slavery was an advance, both ethically and economically. And even now, the slaughter of prisoners can be escaped only as it is possible to guard and feed them without great risk to the conquerors. The supposed humanity of modern warfare depends upon modern facilities for transportation, quite as much as upon an increased tenderness of the human heart. In any case it is perfectly idle to criticise a struggle for existence by a moral standard which presupposes the possibility of friendly co-existence. Such criticism is as irrational and impertinent as a parallel series of reflections on the unæsthetic aspects of war, while the battle is still on.

It should not surprise us, therefore, to find various ethical codes among men, and codes in all stages of development from the simply animal up to the moral. This is a necessity of the order of human unfolding, and of the interdependence of the various factors of our nature. But these differences are not to be viewed as pointing to a difference of moral nature. They are rather to be understood as the

outcome of our human nature when limited by various imperfections and misconceptions, sometimes speculative, sometimes religious, and, oftener than either, the outcome of thoughtlessness and the mechanical drifting of life. And these variations are found, not merely among different tribes or generations, but among ourselves in the ethics of trade, of society, of the bar, of college, of international intercourse, etc. In each of these fields simple inspection reveals much that is morally imperfect, but which is likely to remain until a far greater mental and moral seriousness has been developed than obtains at present. In particular, the ethics of the bar has often so little apparent reference to justice and the common good, that a very general impression exists that a lawyer is simply a conscienceless mercenary who, for hire, will fight under any flag whatever, not even excepting the black flag of the pirate. We may indeed insist that this view is mistaken and unjust, and yet we have to admit that no iniquity, or injustice, or public enemy ever lacks the help of the most eminent legal advisers, if there be money enough.

CHAPTER VI

MORAL RESPONSIBILITY, MERIT AND DEMERIT

Our attention hitherto has been chiefly confined to the moral law and its foundation. We have now to consider some judgments which apply only to the moral agent.

Our moral activity does not exhaust itself in determining what should be done. In addition, it refers the deed to the doer, as something for which he is responsible, and in which he acquires merit or demerit. Physical agents may do us good, as the rain and sunshine, but we do not praise them. Other physical agents may do us harm, as a storm or flood, but we do not blame them. They are not responsible, and we attribute no merit or demerit. But in human action we have not merely necessary events but personal deeds. Instead of a blind beneficence, we have productive good will; and instead of mechanical evil, we have sin.

In all of this the notion of freedom is implicit. As the study of the world of physical changes leads to the assumption of the law of causation, so the study of the world of moral action leads to the assumption of freedom, as the law and condition of the same. An order of mechanical beneficence or

maleficence is indeed possible without freedom, but it would have no more moral quality than the sunshine and storm.

As to the fact of freedom, psychology and metaphysics must decide. Ethics has only to take it as implicit in the moral consciousness, without concerning itself as to its ultimate foundation. We record our conviction, however, that the metaphysics of necessity, while more plausible, is vastly more difficult than the metaphysics of freedom. The plausibility is only superficial. Indeed, it may be doubted whether, at bottom, the doctrine of necessity is not empty of all positive content, and is anything more than a shadow of the mind itself, or rather of the formal category of necessity which is always made universal by crude reflection, but is always limited by a profounder insight. Of course, if we make the necessity all-embracing, it follows that our belief in freedom is also necessary, and hence has at least as good ground as the opposite belief, and indeed better, considering its vastly greater prevalence. Such is the plight in which the doctrine of necessity finds itself at the start. It is one of the traditional imbecilities of this discussion, that freedom of thought, which involves all the difficulties of the general problem, is practically admitted by every one, and the discussion is limited to our executive activity.

The notions of responsibility, merit and demerit have given the utmost embarrassment to all fatalistic schemes of ethics. How to reconcile them with their fundamental denial of freedom has been an

insoluble puzzle. Formally to deny freedom has been too great an affront to the moral consciousness of mankind; and hence the denial has generally been more or less concealed under phrases which seemed to retain the thing denied. There has also been a great deal of half-hearted denial. Thus while there has been a very general readiness to give up the idea of demerit by laying it all on circumstances, there has been an intelligible desire to retain the idea of merit. In particular, the sentimentalist who is very ready to forgive the criminal for crimes against some one else, is sure to reflect that circumstances are to blame for all crime, so that there is no real demerit; but he is sure to claim any goodness there may be as real merit. The confusion is further increased by the general willingness to hold others responsible, while claiming large allowance for ourselves. Of course, such half-heartedness has no logical standing.

The denial of freedom must in logic result in denying all proper responsibility and merit or demerit. Our life, active, cognitive, and emotional, must be looked upon as a resultant of antecedent forces just as in any physical system. The sin of the sinner and the righteousness of the saint, the delight in evil and its condemnation, must alike be looked upon as the necessary resultant of the system. Instead of a law of freedom, we have the parallelogram of forces; and life becomes a great Punch and Judy show in which there is a deal of lively chattering and the appearance of strenuous action, but nothing more. We make a shift, how-

ever, to retain the words at least in the following way:

Every one, of course, is and does what he must be and do; and the nature and deeds of every one are as predetermined as the position and orbit of a planet. But as a man is the only visible source of his deeds, and as the deeds could be changed only by changing the man, we may call the man responsible in this sense. If the man were different, his deeds would be different. These deeds, too, have bearing for good or evil upon society; and this may be called their merit or demerit. Or we may call this bearing their moral quality; and view their merit as the measure of their worth to society, and their demerit as the measure of their damage. We are now in a position to hold men responsible for their deeds, that is, to treat them in accordance with their deeds. In the same way, we hold wasps and vipers and wild beasts responsible, and never dream of holding them innocent because they must act according to their nature. Their nature is the very thing which is obnoxious. Suggestions of this kind have often been made; and the old terminology being freely used, the fatalistic scheme seems to be fairly well reconciled to morals.

But it is plain that this, too, is only half-hearted. There is an implicit assumption of freedom, at least for the managers, lurking in this exposition. We are justifying ourselves, holding men responsible, treating them in accordance with their character, or at least in accordance with their nature, etc. But all this is inconsistent. If, in mechanics, one result-

ant should speak of holding another resultant responsible, we should have no greater absurdity than we have here. It is all resultant. It is all a clash of forces—feelings, thoughts, opinions, emotions—all are resultants. To this we must come in logic; and, as already pointed out, the belief in freedom becomes as necessary as the belief in necessity, and indeed, any one belief is as necessary as any other, and as good as any other as long as it lasts. Thus intelligence itself breaks down in hopeless confusion and scepticism. To stop short of this conclusion is to be inconsistent. To reach this conclusion is to reduce the discussion to a farce. We continue, therefore, to use the terms, responsibility, etc., in their usual sense.

The abstract conditions of responsibility are easily stated; so easily, indeed, as quite to obscure the practical difficulties of the problem. For perfect responsibility, of course, there must be perfect freedom and knowledge, so far as the deed in question is concerned. When the former condition is not met, that is, when the agent is hindered or compelled, whether by outward circumstances or by inward passion, the responsibility varies accordingly. Again, if the agent have no insight, or only an imperfect insight, into the nature of his deed, he is not to be held responsible without corresponding limitations.

But while there is a very general practical agreement as to the fact of responsibility, it is impossible to find any fixed measure for it; and that for the

reason, that the factors which determine responsibility admit of no objective standard. Nothing is plainer from experience than that our freedom and knowledge are both limited, and that they vary greatly from one person to another. When the moral nature first begins to manifest itself, it finds a body of impulses, partly good and partly hurtful, already in possession. In some cases these impulses are well ordered and harmonious; in others they are anarchic and riotous. Such a condition of things modifies responsibility; to what extent we cannot tell. No one can be trusted to judge for himself, because of the misleading influences of self-love; and no one can judge for another, because the data are lacking. If there were beings of adequate knowledge, of balanced nature, and of complete self-control, the problem would be simple; but in the case of men we can never fix the exact measure of responsibility. It follows that we have to insist upon the fact of responsibility without being able to establish a definite measure. The determinations by society are never more than rough approximation; and yet until a nearer approximation can be made, they must be allowed to stand. We have to guard, on the one hand, against the sophistry which would use these considerations to deny all responsibility, and, on the other, against over-confidence in our moral judgments of our fellows. It is also well to be on our guard against the fallacy of all or none; for of old it has been recognized that there is "fraud in generals." We need not hesitate to admit that inebriety is sometimes a disease because it

is often a sin; neither should our conviction that it is sometimes a disease lead us to affirm that it is never a sin. In penology, this ethical uncertainty leads to making the public safety the aim in punitive action, rather than the vindication of the moral law. In this way we get a more manageable problem; at the same time, the necessity of determining penalty from its social as well as its moral bearings gives the law in many cases a noticeable parallax with justice.

There is even greater difficulty in fixing the measure of merit and demerit. Of course neither can be predicated of an automaton, physical or spiritual. In such cases we have only notions of utility or beauty, hurtfulness or ugliness in play. But when we come to fix the moral merit or demerit of a person, we find the problem exceedingly difficult. The constitution of the individual, his surroundings and motives would have to be taken into account; and these we are unable accurately to determine. In the mixed development of human life, the natural impulses and the auxiliary motives arising from non-moral impulses are so many, and our ignorance of the real impulses is so great, that it has been questioned whether a truly moral act has ever been done. This paradox, of course, can never gain the practical assent of mankind, but it serves to show how difficult the problem is.

But what was said of responsibility may be repeated here. We must not allow considerations of this kind to confuse us into thinking that there are no distinctions in merit or demerit. We know very

well that the elegant and accomplished defaulter is worse than the hungry man who steals a loaf of bread. We know beyond question that the scientific poisoner is worse than the ignorant and frantic mother who to escape shame kills her child. We would never consent that murder should be punished less severely than petty larceny. However unclear we may be about the absolute scale of merit and demerit, we are fairly sure of the relative one.

The question of merit has important bearings in two fields, theology and penology. It seems well, therefore, to consider it somewhat in detail.

And first of all, the meaning of merit and demerit is far from clear. Moral approval and disapproval do not exhaust the meaning, while reward and punishment seem somewhat in excess. If we define merit as the desert of reward, we run a risk of taking reward in so external and material a sense as to do violence to the ethical conception, by making virtue a matter of hire and salary again. Similar difficulties emerge in defining demerit. Possibly we shall do as well as the case admits of, by defining merit as the desert of moral approval and the right to be treated accordingly; while demerit is the desert of moral disapproval and its appropriate treatment. If it be said that this is only a longer way of saying that merit is desert of reward, and demerit is desert of punishment, there is no objection, provided only that reward and punishment are not taken in a coarse, material, and extraneous sense.

But this is so easily done, that we must consider

the matter more at length. Otherwise the familiar rhetoric about virtue being its own reward and vice its own punishment will be unloaded upon us, to our no small weariness and discomfort. And, first, we must distinguish merit in the field of self-regarding action from merit in the field of social action. What, then, do we mean by merit and demerit in the field of self-regarding action?

In this field, as everywhere, formal virtue resides in the good will; but such virtue for its own sake is a pure myth. The good will presupposes natural goods to be sought or natural evils to be shunned; and without them the good will becomes a matter of barren and formless intentions which, after all, intend nothing. But these goods may be chosen because of their intrinsic value, or because of certain extraneous and accidental advantages. Thus we may seek knowledge for itself, or for the social or financial advantages it may bring us. Now the virtuous choice is not one in which there is no reference to ends, but one in which we choose the higher goods of life, and the higher life itself, because of their essential and intrinsic worth, and not because of any extrinsic attendants. And the choice which ethics rejects is not one which looks to values, but one which seeks to serve the higher in the interest of lower aims; as when one makes the motions of religion for the sake of social standing. From such extrinsic reward we draw back as from a bribe. It is always non-moral and may be profoundly immoral.

But the virtuous choice, on the other hand,

necessarily presupposes that the good in question is attainable. A duty to aim at the impossible would be absurd. The right and fitness of the good will to have the good at which it aims constitute its merit; and the attainment of that good is its proper reward. For a mind which hungers and thirsts after knowledge, knowledge is its desert and knowledge is its only true reward. So for a mind which hungers and thirsts after righteousness, righteousness becomes its desert and its reward. But this reward is not something external and adventitious; it is bound up in the conception of virtue itself. And it is fitting that all things should help the good will on its way. The moral government of the universe means just this, among other things, that all things are working together to secure for the good will the perfect life it seeks. In this sense, then, goodness is its own reward; and all that the power not ourselves can add is to secure to goodness the conditions of its realization.

And when, on the other hand, in this same field of self-regarding activity, one refuses to serve the highest and gives himself over to low and unworthy living, then he misses his true good, comes into conflict with the laws of his own being, and falls into suffering and self-condemnation and into the condemnation of all moral persons. This is his desert and reward. A system in which conduct had no consequences would be absurd. A system in which all conduct had the same consequences would be immoral, if it were possible. Rash, reckless, lawless conduct must speedily clash with

the conditions of existence. Thus it has its reward.

When we come to the field of social action, the matter is still clearer. Here the good will is the benevolent will. Renouncing selfishness, it aims at the common good. As between the interests of self and those of others, it aims to be impartial. It will not build up self at another's cost. It will not get ahead by pulling others back, nor climb by getting others down. Now such a will merits the approval and esteem of all moral persons. It aims at the common good, and it deserves to share therein. It loses life in the common service, and is enlarged and upbuilt thereby. This universal approval and affection, and this gaining of the highest life of self by unselfish living, are the good will's desert and reward.

And, on the other hand, the evil will which wills evil deserves that its plans should be thrown back upon itself, that it should be thwarted by the universe, and that its sphere of activity should be restricted to itself. Its evil aims ought not to succeed; its powers misused ought to be fettered or cancelled. It does not will the common good, and it may not share therein. It does not will the good; and it does not get it. It wills evil for others, and its evil returns upon itself. The displacence and condemnation of all moral persons are inevitable; and their manifestation is equally necessary. This failure and misery and outcast condition of the evil will is its desert and reward.

These considerations apply to merit and demerit

in their purely ethical significance. They involve no adventitious consequences which might as well be omitted as not; but are necessary implications of any rational moral system. In our concrete human practice, these ideas are embodied in somewhat arbitrary forms. Particularly, our notions of reward and punishment are often of a coarse, extraneous character which nevertheless finds some justification in the embryonic character of human beings. In practice we are not likely ever to escape a certain measure of arbitrariness in this field. The practical necessities of life will compel the adoption of measures which cannot be deduced from the pure ethical conception. At the same time, they will have sufficient basis in the moral nature to ward off the charge that they are purely arbitrary. Criminal law has always been, and is likely to remain, in this condition. The form of manifestation of moral displacence admits of no apriori deduction.

But now the contention comes from the theological side, that the finite can have no merit whatever, being in itself nothing before God. In so far as this rests upon our finiteness, if it is worth anything, it denies the possibility of our having any moral character, good or bad. But more commonly it rests upon a theological doctrine concerning the natural man, who is supposed to be altogether lost in depravity and wickedness, abounding in demerit but absolutely void of all merit.

So far as this doctrine has any foundation of fact, it rests upon confounding material and formal right-

ness. Apart from our will, we inherit much, and have various tendencies, many of which are opposed to the ideal order of our nature. As such they represent an abnormal element; and, tried by an ideal standard, we are not only incomplete, as must be the case with any being not ready-made from the start, but we are also in a pathological condition. This, however, is not a state of demerit, but one of disease; and is as little an object of wrath as a club-foot or a curved spine. This fact indeed cannot remove anxiety on our part; for if the ideal law is also the law of our well-being, to be out of accord with it means one knows not what of disaster, and we cannot be safe until the abnormal or pathological condition is removed. At the same time, it can never be made a subject of moral condemnation, except through confusion of the moral judgment.

Viewed from the standpoint of material rightness, men are imperfect, falling far below the ideal, but may they not be perfect from the standpoint of formal rightness? And since the good will makes all good, and the evil will makes all evil, may we not even conclude that there are no degrees, whether in good or evil? This is a conclusion that has been known in ethics since the time of the Stoics. It rests upon mistaking an abstract moral agent for the actual man. It is conceivable that there should be beings of balanced passions and perfect self-control, of perfect insight also into the principles and tendencies of their action. Such beings might have the principle of action in such clear consciousness that all of their activities should be purposely but

an illustration of the same. In that case there would be no difference of moral quality in the several actions. The life as a whole would take its character from its governing principle, and would be good or bad accordingly. There are no degrees in an insult or affront. In such cases we consider not the greatness or smallness of the deed, but the principle it expresses. A small deed may show forth a great love or a profound hate. In such beings there would also be no mixture of good and evil, but either and only one or the other.

But it is manifest that men are not such beings. We begin on the plane of nature, and only gradually come to self-possession. We become slowly conscious of our own aims, and we grow slowly into self-control. Our will is feeble; our loyalty is imperfect and wavering. Our life, on the whole, shows a tendency, and must be judged thereby; but there is no perfect formal goodness among men, and also no perfect formal evil. Progress in goodness is the utmost we can expect; and such progress constitutes what we mean by a virtuous life. The concrete evil life, as we find it in experience, has for its distinguishing mark that its movement is away from the highest. In both cases, character is germinal rather than complete. The root of the matter may exist without attaining in either case to perfect, or even consistent, manifestation. The tendency, indeed, must be toward completed character which gives quality to all the details of life, but we seldom, if ever, find such consolidation in experience.

The same mistake of confounding the abstract man of theory with the actual man of life has led to a considerable display of rhetorical virtue. That one should be moved to action by anything but the purest love of goodness, say by fear of punishment, or love of approval, or hope of reward, has been a conception so odious that it could not be adequately perhorresced. Both prose and poetry have been exhausted in the effort to rise to the occasion. But such rantings are terribly unedifying; and besides it is hard to free them from a certain smack of polemical hypocrisy. It is of course true that the moral ideal is not reached until the pure love of good becomes the sufficient motive of action. It is also true that if the moral life had nothing to do with the natural life, and if the moral life were in conscious possession of its own aims and principles from the start, we should have to declare a moral life worthless in which there should be any admixture of lower motives, or at least worthless in proportion to the measure of the lower motives. Finally, we may admit that if the moral movement of the universe had for its aim the distribution of adventitious prizes rather than the development and establishment of moralized life itself, we might be somewhat puzzled in our distribution. But the inapplicability of all this to the human problem is evident. First, the moral life is only the ideal form of the natural. Secondly, the moral life is slowly developed out of the natural. Thirdly, the goal of the development is not extraneous reward but ideal life itself. In such a life as this, the important

question is not, What does the person merit as measured by sundry abstract ideas?—but rather, What is he growing to be, and what significance is he acquiring in the moral world? The much-used notion of probation in its obvious sense is distinctly inapplicable to the circumstances of human life. We must replace it by the notion of a progressive education and development whose goal shall be perfect life. This retains all that is true in the idea of probation, and escapes its artificiality.

But, it may further be asked, of what value is an obedience which is not a properly moral obedience? Much every way, but especially in this, that it may lay a foundation upon which a moral obedience may be built. The laws of our well-being and the corresponding forms of conduct are independent of our volition. Hence, obedience under tutelage and from non-moral motives may yet lead to conduct in accordance with our true good. As such, though not the highest, it is good as far as it goes; and it may be the highest possible to the person in his actual stage of development. This use of lower motives while the susceptibility for the higher is being developed, is a fundamental fact in human life. The mass of human beings are never able to dispense with them. To ask how such conduct can have any value, is like asking how it can be of use to a child to learn his lessons for the sake of anything but the pure love of knowledge. The mastered lesson, the exercise of self-control, the putting forth of power along right lines are worth something in both cases, and may lead to something higher. Materially

right action is valuable and desirable, whatever the motive. The art of education and legislation consists very largely in the direction of non-moral motives into right forms of action in advance of moral development.

Many of the contradictions which abound in the teachings concerning merit arise from confounding the formal and ideal points of view. Of course we all fall below the ideal; and the highest feel this most. If, then, we were describing ourselves from this point of view, we should say many things concerning our unworthiness and imperfection. We might even speak of ourselves as miserable sinners and declare that we are unworthy so much as to lift up our eyes unto heaven. And this would be entirely compatible with a strong assertion of our integrity from the formal side, or as judged by the standard which we apply to one another. A similar contradiction meets us in the estimate of our knowledge. One impressed and oppressed by the weight of the mystery which touches our life at every point and on every side, and also by the vastness of the unknown in comparison with our scanty knowledge, might well declaim on the vanity and nothingness of human knowledge. But this would be quite compatible with faith in our knowledge within its own limits, and with faith in its exceeding value.

Practically, the question of demerit is more important than that of merit; for in the latter case we generally have not to go beyond moral approval,

while in the former case we pass beyond disapproval and inflict penalty, as in criminal law. We limit our further study, therefore, to the question of demerit.

This problem admits of easy theoretical statement, but the practical solution is exceedingly difficult. Thus we can say that the demerit of action varies with the amount of knowledge, the strength and balance of our natural propensities, the measure of self-control, etc. But we have no means of measuring these with any approach to certainty. The only way of judging the inner life of another is to assimilate it to our own; but when we see another acting in ways shocking and detestable to ourselves, we are led to suspect that this assumed identity is not exact. Hence, we can only assume a rough identity as the condition of all mutual understanding, and make such allowance for differences as the facts seem to call for. In general when the differences are such as, in our judgment, to cancel self-control, then the moral problem of desert is replaced by a problem of disease.

In such practical uncertainty, it would be a relief if we could measure demerit by consequences. This would be possible if we mean foreseen and intended consequences; but if we take in all consequences it would confound error and crime, a confusion which the moral consciousness has always resisted.

In truth, a sharp distinction between the formal and material has never been allowed in this field. Materially, many acts are wrong in themselves, as

being discordant with the nature of things. Materially, also, many acts in personal relations are so foreign, not only to external nature but also to any normal human nature, that we regard them as odious in themselves. To maintain a claim of formal rightness in connection with them would be possible only on the ground of insanity, and that would leave no moral problem in the case. Hence, assuming a fundamental identity of human nature, the race has always assumed that the demerit of a deed varies with the amount of its departure from the recognized standard of duty and humanity. Here the distinction of formal and material can be maintained only at the expense of cancelling the problem altogether.

Two general facts, which are at bottom one, deserve mention as especially affecting our judgment of demerit. The first is the fact that we are not abstract moral beings existing in self-chosen ethical relations, but are parents and children, husbands and wives, neighbors and citizens. Out of these relations a great body of duties naturally spring. These relations take the place of the abstract ethical relation to such an extent, that the latter seldom comes into view. To recognize the resulting duties carries with it little sense of merit; but to fail to recognize them is looked upon as base and infamous.

The second fact has already been mentioned in a previous chapter. This is that the sense of obligation is very largely dependent on sympathy, and that sympathy depends on proximity and the ability to

put ourselves in another's place. Thus the civilized world has largely agreed upon the wrong of slavery; but this conviction remained mostly dormant until the imagination was powerfully impressed with the horrors of slavery. Owing to the social nature of man, any common element whatever strengthens the sense of obligation. A common language, a common country, a common faith, a common occupation, even a common amusement, are felt to form a tie which must not groundlessly be ignored. One meets a countryman in a foreign land; and the common country and language form a sort of bond. Or one meets an ecclesiastical clansman and the effect is similar. Even a bicycler meeting a brother rider feels a claim arising from the common sport. Of course this claim is not equally strong in all the cases mentioned, nor is it independent of other circumstances; but, other things being equal, some measure of claim is sure to be felt. The reason is found in the fact that the common element constitutes a bond of sympathy; and hence, he who fails to recognize it has to break through a mass of feelings which do not exist in other cases. If they are lacking, the fact is discreditable. If they are ignored, the fact is still more discreditable.

This fact underlies the first fact mentioned. It also explains the horror we feel at wrongs done by members of the same family to one another. The simple physical relation, apart from the community of life, service, and affection, is nothing. But, in normal circumstances, this family life must express itself in mutual affection and service; and a strong

emotional life gathers around it. To lack this life is to be sadly abnormal; to ignore it in action is counted among the deepest basenesses and infamies to which human beings can descend.

An antithetical outcome of this general fact is found in our comparative indifference to wrongs done to those with whom we stand in no relations of sympathy. By no effort can we feel the same horror at a wrong done to a Patagonian or Hottentot as at one done to our neighbor or countryman. Nor in general do we regard the former deed as having equal demerit with the latter. Of course, ethics is no respecter of persons, and maintains the rights of the Bushman equally with those of the Caucasian; but in concrete life we have to take account of all the psychological limitations of the moral person. And the fact is that, owing to these limitations, a crime against a neighbor would show a more determined evil will than the same crime against a stranger and foreigner. In the former case the evil will would have to break through a mass of deterrent sympathies which would not exist in the latter. Even the circumstances of the same crime among ourselves affect our judgment of demerit, according as they reveal a greater or less atrocity or brutality. A murder, say with an axe, would impress us as more fiendish than one with a rifle at long range.

But we cannot afford to fix our attention exclusively on these points. Sympathy does not constitute moral relations. These exist in their own right, whatever our sympathies; and to take coun-

sel of our sympathies instead of our reason is often to betray righteousness. Hence, ethics demands that we enlarge the sympathy to fit the moral relation, instead of restricting the relation to the sympathy. It is a very decided mark of moral progress when one can recognize another's rights without any reference to one's own likes and dislikes; for even the average good man has rare success in escaping any sense of obligation to those against whom he is prejudiced. If a perfectly just debt is not legally secured, it is surprising how difficult it often is to ask for payment in a way which will not prove offensive to the debtor.

Society also is obliged to look to the objective facts and consequences as well as to the mental state of the agent. There is an objective, as well as a subjective demerit; and we cannot afford to let a lack of subjective appreciation pass for justification. Whatever the subjective state, train-wreckers and showers of false beacons must be treated as murderers. In this way the appropriate mental state may be helped to development. In general, our judgments of demerit are in constant need of revision. With the growth of knowledge and of the moral nature, the demerit of evil deeds varies. Things once deemed permissible may become base crimes. The most dangerous enemies of society are no longer found in the so-called dangerous classes; and there is a growing necessity to emphasize the fact by a readjustment of penalties.

That action varies in demerit, according as it springs from an evil or from a weak will, is obvious.

From all of these considerations, it is plain how complex the question of merit and demerit is. The actual human being is often embryonic in his morality, and always immature. His will is sometimes wicked, and still oftener weak. His motives are partly moral, but more frequently sub-moral rather than immoral, though the latter are by no means lacking. The crimes of sense and weakness become the crimes of malice and wickedness. Such a state of things is prolific of one-sided notions. Accordingly, we have all extremes. On the one hand, we have a theological and rigoristic school denying all merit to humanity and reducing everything to sin. On the other hand, is another school denying all demerit, and sinking at times into an odious and loathsome criminal worship. With much contempt of these extremes, we have a third school which ignores the metaphysics of responsibility and treats the problem "positively and objectively" on the basis of physiology, sociology, etc., and in the interests of the public safety. The question of guilt or innocence is as irrelevant as the question concerning the guilt or innocence of wasps and hornets. An ancient holder of this view set forth the opinion that it is expedient that one man should die for the people.

Against this failure of the moral nature we have to guard ourselves. In every case which is not manifestly pathological, we shall always attribute demerit to wrong-doing. In attempting to fix its measure, we shall have to content ourselves with approximations; and these may often involve rela-

tive injustice, but without them human existence would be impossible. The style of conscience which does nothing for fear of doing wrong is not adapted to terrestrial conditions.

The matter of punishment as we meet with it in criminal law is commonly complicated with extra-ethical questions, and thus fails to be viewed in a purely ethical light. That the evil will, if there be such a thing, deserves to come to grief would be admitted by all. A world in which no difference is made between the good will and the evil will would be a moral horror. But often there is a tacit assumption that there is no evil will in the case, but only a weak and imperfect one. Sometimes, too, while we affirm the reality of the evil will, we may doubt whether the right to punish belongs to us. Add to this the uncertainty of our judgments of demerit, and we have all the conditions for the confusion, often sentimental and sometimes immoral, which reigns in this field.

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CHAPTER VII

ETHICS AND RELIGION

In real life ethics is commonly allied with religion. The voice of conscience is said to be the voice of God, and moral law is the expression of his will. We have now to inquire whether this alliance is a necessary or only a fictitious one. On the one hand, the claim is made that ethics is a self-sufficient science; and on the other, it is urged that ethics depends on something beyond itself. From the time of Lucretius, and even earlier, we have heard what degradation and paralysis of the moral nature result from religion; and the opposite contention has never been lacking, that without religion morals would disappear from the earth. When the debate happens to be between religious and irreligious partisans, extravagance commonly knows no limit.

To one who reflects on the interdependence of the several phases of our mental life, the question itself, as commonly put, can seem little less than absurd. It is the one human mind which founds ethical systems and religious systems. And what the mind may do in the moral field will certainly have significance for its work in the religious field. Conversely, what the mind may do in the religious

field cannot fail to influence its ethical code. Wherever there is any degree of development, the moral nature is a leading factor in determining religious conceptions; and these, on the other hand, react powerfully upon the moral nature. In actual life, ethics and religion strongly influence each other; and man is the subject and source of both. The historical fact, that degrading religious conceptions have often degraded both moral conceptions and moral practice, is quite irrelevant to the theoretical question concerning the essential relation of morals and religion. Equally irrelevant is the question whether Christianity has contributed anything to moral science.

To give the discussion any meaning the question must be put in the following form: Is ethics a self-sufficient science based solely on our moral insight, or must it appeal to extra-ethical conceptions, speculative or religious, as well?

Epistemology shows that no valid theory of knowledge or science can be formed without resorting to theistic conceptions. Any atheistic or necessitarian theory worked through to its consequences leaves the mind in hopeless scepticism. In practice the fact escapes notice because instinct guarantees knowledge apparently beyond any possibility of question. Thus the suicidal theory is defended from itself by self-ignorance, and is left free to go on the war-path at pleasure. But when the critic comes and searches it out, the fatuous and self-destructive character of such theorizing is clearly seen. In this general overthrow of reason itself which is in-

volved in atheism, ethics must necessarily share. In addition, the automatism implied in atheistic theory would be fatal to ethics, as it does not appear how an automaton could have duties, or how it could perform them or help performing them, or how it could be responsible in either case. In this most general sense, then, theism is a necessary postulate of ethics.

Commonly, however, these high considerations are overlooked, and the claim is made that duty is altogether independent of any theistic reference. Our duties arise from the concrete relations of actual existence; and they would not be modified by any speculative theory. This claim is not without its attraction, and also not without a measure of truth. If it should pass to a positive denial which implied automatism, we should still be haunted by the suspicion that automata cannot well have duties; but so long as it simply confines its attention to actual life and insists upon finding our duties within this life, much might be said for it. But, on the other hand, much might be said also for the claim that religion has great significance even for the duties of the life that now is. We must attempt to follow the case.

To understand this matter, we must recall the fact that ethics contains two distinct factors, general moral principles and ideal conceptions which condition their application. The first factor consists of such things as the duty of justice, good will, etc. These rest directly upon our moral insight, and need no other support. Whenever any two persons meet

anywhere in existence, they owe each other good will. It is indeed possible that if there were supposed to be no justice in the heavens, no throne of righteousness, and no doom for iniquity and oppression, these duties would be largely disregarded; but none the less would they be duties which ought to be recognized and performed.

Those who contend for the insufficiency of the moral nature have often mismanaged matters at this point. They have mistaken the need of an external sanction in order to secure external obedience, for the source of the moral obligation itself. They have even been led on by partisan fervor to maintain that, apart from the sanction, the obligation would vanish. They overlooked the fact that external obedience alone can never be moral obedience; and thus were forced into positions fatal to morals altogether. Hence, it has sometimes happened that irreligious, and even atheistic writers have seemed to maintain a purer ethical system than some Christian theologians. But, on the other hand, the defender of the self-sufficiency of the moral nature has failed to see that practically, and for human beings in their actual stage of development, the question of an external sanction may be of great importance, like the affixing of penalties to human laws. This has led them to contend that purely moral considerations alone are all-powerful with men, and sometimes they have even perhorresced any consideration of consequences, as dimming the splendor of their pure and utter devotion. The thought of a future life has been pe-

culiarly painful in this respect. The debate has generally been vitiated by a one-sided or incomplete conception of ethics. Abstract conscientiousness has been made the sum of morals by one party; and, as a companion piece, extraneous and adventitious reward has been set up by the other party as the only aim and reason of conduct.

In addition to the general debate, a special one has been carried on between the partisans and the opponents of the Christian revelation. The claim is made, on the one hand, that Christianity has made great additions to ethical doctrine; on the other hand, this claim has been vigorously contested. Much heat and misdirection of learning were the chief results.

In one respect, however, it must be admitted that even Christian teaching has often wrought moral damage. Its various ascetic manifestations may illustrate. These are intelligible as reactions against a wide-spread and destructive Epicureanism. They are also intelligible as mistaken inferences from the emphasis which Christianity puts on the worth of the soul. The ever-present irony of death, also, which so surely blights all earthly prospects and blasts all earthly hopes, readily lends itself to these misinterpretations. Similar manifestations, less heroic and also less noble, are often found in religious circles in an indifference to social and political duties. The whole world lies in wickedness. Politics are mire and filth. There is no hope or help in anything but a supernatural irruption from above. Reflections of this sort have often

turned religious persons into bad citizens and indifferent neighbors. And this must be the case with any view which, from whatever source it may draw its inspirations, does not find the chief forms of concrete duty within the visible life.

Returning to the theoretical question, the formal principles of conduct are able to stand alone, at least as able as anything else in our mental life. Whether they can get themselves obeyed when standing alone is a practical question with which we have no present concern. The dependence of ethics on something beyond our formal intuitions appears in connection with the second factor mentioned, the set of conditioning conceptions. As pointed out in a previous chapter, the practical outcome in conduct depends quite as much on these conceptions as on the formal principles. Plato wrote wonderfully about the just and the good; but his theory was compatible in his own mind with infanticide and the killing off of the old and helpless. Aristotle's ethics has abiding value for all time, but he viewed slavery as both rational and right. The trouble in these cases was not in their ethical insight, but in their philosophy of man, or in their conception of the worth and destiny of the human person. Apart from some high ideal of the worth of man, there will be no high effort for his improvement, and no inviolable sacredness in his rights. Hence it is that humanitarian effort generally begins by affirming some higher idea of man and his destiny than that which actually obtains; and

hence it is, also, that such effort is generally resisted by emphasizing, or inventing, degrading conceptions of the men in question.

But the meaning and destiny of human life are not given in any intuition of the moral nature. Our ideas concerning them are bound up with our general conception of the universe. If we regard the world as depending on a blind force which is forever weaving and forever unweaving, so that, sooner or later, all things vanish into silence and nothingness, then man becomes an ephemeral product of nature without any abiding significance and without any high task or destiny. Sympathy would be the sum of ethics.

Or we may suppose human life to end with the earthly act. In that case the will would lose its chief inspiration and driving force; not so much because another life is needed to reward or punish for the deeds of this, as because everything would be so fragmentary and meaningless that nothing would be worth while. The continuity of life is needed to give meaning to life. It is needed to make high aims, or hopes, or strenuous endeavor possible. Of course we could be formally conscientious with only the present life in view, but such conscientiousness is only the shell of moral activity and is largely negative besides. But man as active needs some task to perform, some worthy aims to realize; and these necessarily depend on our conception of the meaning and destiny of life. The possibility of their realization also depends on something beyond ourselves, ultimately on the essen-

tial structure and meaning of the universe. Hence the aims we purpose for ourselves and others are necessarily involved in our general theory of life and existence, that is, in our religious and speculative conceptions.

Here we touch the point of chief practical difficulty with all ethical systems, religious and irreligious alike. The great practical trouble, apart from the evil will, is less a lack of light than a general discouragement, a doubt whether anything worth while is attainable under the circumstances of our existence. Life is both short and tedious. Sundry retail virtues are indeed possible without looking beyond visible existence; but when we are looking for some supreme aim which shall give meaning and dignity to life and make it worth while to live, then our puzzles begin. Man himself is a disheartening object of contemplation. We have already seen how embryonic he is when measured by any ideal standard. No amount of inspection will make the actual man inspiring or promising. The "choir invisible," it seems, exists only in the imagination. The great cosmic order is not manifestly constructed for moral ends. It seems mostly indifferent to them and at times even opposed. Such are some of the depressing and disheartening reflections which meet us when we begin to look about for some supreme practical ideal and inspiration. They are, too, the great source of the pessimism which has settled down on so many earnest minds which have cut loose from religious faith. As yet no relief has been discovered, except

in some extra-ethical assumptions of a religious nature. The fatuity of seeking to solve such problems by the easy and obvious rhetoric concerning virtue being its own reward is manifest.

There is, too, a theoretical difficulty arising within the field of ethics itself. This is due to the fact that we are under two laws, the formal moral law and the law of happiness. These two lie parallel and to a great degree are identical; but often enough they have an apparent parallax. The dictates of conscience are not always those of visible prudence. In many crucial cases, it is not worldly-wise to be righteous overmuch. A judicious trimming seems often wiser than an excessive stikling for principle. Within certain limits, also, a species of self-sacrifice for the common weal is wise; but it is far from being made out that my own good coincides throughout with the common good. Such coincidence of visible good is manifestly non-existent for the patriot who dies for his country, and for all others whose public service is personal loss. Indeed, such service is commonly discredited unless it is strikingly successful from a utilitarian standpoint; and there will always be a large number of ill-conditioned minds to suspect and allege bad motives, and to decry even the purest patriotism. In other cases, tendencies may be discerned or believed in, but of old the shortness of personal life has been a great embarrassment. To have a heart too sensitive to others' woes, to be driven by conscience to challenge successful iniquity, to live in the presence of unattained and rebuking ideals, to concern one's self much about the moral

upbuilding of men—this is not the way to comfort and sentient peace. Such ends can be reached far more readily by cultivating a wise selfishness and a thick skin.

Now if we may assume that the common good and the individual good are at bottom one, so that the service of the common good leads to the highest and best individual good, we can adjust the facts of life to our moral nature. If we may likewise assume that the highest and best is also the safest and wisest, then our moral nature can breathe freely. Without these assumptions, we can only conclude that our nature has somehow lost its way, and that duty must be restricted within the limits of prudence. For we have seen that the first duty of ethics is to be rational. Hence, there can be no duty to anything which transcends the agent's true interest. No law can be obligatory which is too large for the good of the subject. If, then, the moral law as given is too large for visible life, either we must enlarge the life to fit the law, or cut down the law to fit the life. Out of these difficulties arise the antinomies of conscience. They appear, first, in the relation of the well-being of the individual to that of the many; and, secondly, in the sacrifice of visible good.

The difficulty involved in the first point is commonly overlooked. As immorality commonly takes the direction of selfishness, ethics has emphasized the duty of unselfishness, but not always with proper insight. The selfishness which is so obnoxious to ethics is that spirit which regards others' interests

only as they minister to our own, and which is ready to sacrifice others for our own advancement. But the interests of self are to be duly regarded nevertheless. The individual who has no interest in the common good deserves all condemnation; but that view is equally selfish and odious which would sacrifice the individual to society. A common good to which all minister and in which all share is the only conception which satisfies us. The greatest happiness of all is the noblest aim of individual action, provided that happiness is compatible with the noblest and best being of the individual. If there were an essential opposition between them, no theory could demand that the one should sacrifice himself for however many. In that case each should bear his lot as best he might, and without preying on his neighbors, whether under the forms of violence or those of pretended morality.

This conclusion would be valid if the goods in question were simply those of the non-moral sensibility. It rests not upon a selfish desire to secure the individual, but upon a moral aversion to a universe in which the good of the many is not compatible with the best good of the individual. That one should work loyally for the common good and in no spirit of hire and salary is a duty of inalienable sacredness in a world where a truly common good is possible, but there can be no such duty in a world where the common good of all is not possible. When conduct involves moral faithfulness, there can be no question. I would die for my country, said an old English hero, but I would not do a base

thing to save it. This consideration applies especially to those easy suggestions, much affected by moralists of the physiological and positive type, that the safety and progress of society demand the existence of degraded and infamous classes. If it were so, an execration of the social structure would be in order like Theodore Parker's famous curse of the Commonwealth of Massachusetts.

Devotion to the common good is the great condition of a moral life and even of social existence. Hence, in one form or another, it is the great demand which ethics makes upon the individual. It is also of such practical importance that men may be excused for not stopping to investigate the implications of such a requirement. Theoretical ethics, however, must make this investigation. Now it is plain that there can be no duty to serve the common good unless a truly common good is possible; and it is not possible so long as any one is sacrificed in his essential interests, or is used up in his service. The individual may never be regarded as fuel for warming society. In a moral system, the good he produces he must in some way share. In our zeal against our native selfishness, we must not overlook the fact that the individual has rights against all others, singly or combined, and that in a moral universe provision must be made for maintaining them. This is the abiding truth in egoism.

Now if we may assume that the visible and earthly life is not all, and that the truest and best interests of all are conciliated and conserved in the essential structure of the universe, these difficulties

may be overcome. Then the service of all becomes the truest service of self. The individual is not sacrificed to society, nor is society merely an armed power for repressing or plundering individuals. The embarrassment arising from the fact of death is also removed; and both the mental and the moral nature breathe more freely. Without these assumptions we have to admit that our moral system, except in a barren formal sense, admits of no rationalization. In that case we must either fall back on mere conscientiousness limited by prudence, or else take ethics as a blind instinct which somehow fails to correspond to the manifest facts of our existence. A moral world order, a future life, and a moral world governor who assures the final triumph of goodness are the assumptions to which we inevitably come when we attempt to think the moral problem through. Of course, it is not meant that ethics as a psychological fact is deduced from such cosmological and theological considerations. Not the fact, but its rational authority, is in question here.

Now we can better understand the true significance of Christianity for ethics. Reference has already been made to the traditional misconceptions on this point. It has been urged that Christianity contributes nothing to ethics. On the other hand, it is claimed that the natural conscience has always made sorry work of it until enlightened by the Christian revelation. In support of the former claim, it is pointed out that the Greeks gave an abiding form to ethical truth long before Christ

came. The sacred books of the East are also declared to be mines of moral truth. In addition, deep sayings and profound insights are reported from many extra-Christian regions. In rebuttal, it has been common to dwell upon the moral condition of heathendom, past and present. The indecisiveness of both sets of considerations is obvious.

In truth, the significance of Christianity lies far less in the field of formal moral judgments than in that of the extra-ethical conceptions which condition their application, and even more in that of moral and spiritual inspiration. In this last respect it is as steam compared with ice, which, however identical chemically, are dynamically very different. Our conceptions of God, life, and death have been greatly clarified by Christianity. Thereby a vast extension has been given to moral principles and the sense of obligation has been re-enforced. It also affirms an origin and destiny for man which give him an inalienable sacredness. By its edict of comprehension, it makes all men children of a common Father and heirs of eternal life. It removes the antinomies of conscience by declaring that he that saveth his life shall lose it, while he that seeks first the kingdom of God shall have all true good added therewith. There is a moral kingdom stretching over all worlds and ages. The moral law is not merely a psychological fact in us, but also an expression of a Holy Will which can be neither defied nor mocked. Hence its triumph is secure. The universe, then, and God within and beyond the universe, are on the side of righteousness. Chris-

tianity also sets up a transcendent personal ideal which is at once the master-light of all our moral seeing, and our chief spiritual inspiration. Thereby the thoughts of many hearts have indeed been revealed; for men never know so well what spirit they are of as when contemplating it. Finally, we are told of a God whose name and nature are love, in whom we live and move and have our being, and who is carrying all things on to an outcome of infinite goodness.

Now we have here, not a set of new moral principles, but a new setting of old principles which makes them practically new. Our moral nature has not been transformed, but the conditions of its best unfolding have been furnished. It is the same life but very different. The relations and meanings of things have changed. Rights grow more sacred; duties enlarge, and the sense of obligation deepens. Love and loyalty to a person take the place of reverence for an abstract law. The law indeed is unchanged, but by being lifted into an expression of a Holy Will it becomes vastly more effective. The divine ideal also makes impossible pharisaism and spiritual pride, the besetting sins of all schemes of self-culture and stoical self-sufficiency. Now such a system may not add much to moral theory, but it has incalculable significance for the moral life. To pass by on the other side may seem a small matter when possibly it is only a question of adding a few days to a worthless and wretched existence, but it becomes a very serious thing to one who has received the words, Inasmuch as ye did it, or did it

not, unto one of the least of these my brethren, ye did it, or did it not, to me. There is no place in this view for the cheap charity which fancies that man can live by bread alone, or even by bread and soup. He is a being of divine parentage and divine destiny, and has, therefore, an inextinguishable claim to our reverence. We might well think meanly, and even despair, of the man of natural history and even of the man of much modern philanthropy, but never can we despair or think meanly of man as Christianity represents him.

If one would see the full significance of Christianity for ethics, he must contrast it with other systems, ancient or modern, on three capital points, the nature of man, the nature of the common good, and the inspiration of duty. He will then first understand the ethical limitations involved in the narrow world view of the Greeks, and in the externalism of modern secular philanthropy. The latter having no outlook beyond things seen, and no power to cleanse more than the outside of the cup and platter, must confine itself to sanitation, model tenements, the distribution of soup, and similar matters. These things are no doubt good, and, in their way, necessary; but they lead to so little for the individual that the sure outcome of this kind of thinking is to replace the individual by the "race" or the "species," or "humanity," or some other logical fiction, as the thing to be worked for.

It would be undue deference to ignorant or unprincipled folly seriously to raise the question whether the Christian view of God and man and of

their mutual relations has any value for the moral life. But, on the other hand, it must be admitted that, while the great inspirations of life come from the Christian world-view, the concrete forms of duty must be found mainly in the life that now is. This is the important truth in secularism, the truth which religiosity has so often missed. And it is only by holding fast to this truth that we can escape the insanities of a real asceticism, or the hypocrisies of a pretended one.

At this point our theoretical discussion ends. The net result is not great. It is easy to construct a system of abstract ethics for abstract beings, but it is not easy to apply this system to actual life so as to clear up all difficulties. We have to emphasize objective ethics and we have to emphasize subjective ethics; and in neither field can we reach a completed system. Everything is in motion but a few formal principles; and even these are subject to change in their application. We lack knowledge both of the objective system and of ourselves. In particular, our conception of the meaning and destiny of human life cannot be theoretically fixed, and the dreams which may be dreamed concerning it inevitably come into ethics as a transcendental factor, and disturb the simplicity of our theory. Men seem bent on believing that the meaning and centre of gravity of existence lie in the invisible; and hence they can never be brought to limit duty by the dictates of visible prudence. They will sacrifice themselves for family, for country, for truth, for

God, all of which is palpably absurd from any standpoint of egoistic prudence, and which is equally absurd from any standpoint, if this devotion is to end in nothing. There still remains something oracular in the moral nature, after prudence has exhausted all its resources and counsel. Moreover, out of this has come the bulk of what gives worth to human history. If we should subtract from the latter all that is due to the conviction that it is "perdition to be safe" when for the truth or for country one ought to die, it would not be worth while to write the rest. But just as little can we give up the truth of objective ethics, and for the final harmony of the two we must fall back on the conviction that the world is essentially rational and moral, and will finally be manifest as such. Meanwhile we can only work along with such loyalty to the highest as we can command, availing ourselves also of all light upon life from whatever quarter it may come.

We pass now from this study of ethical principles to a brief survey of our leading ethical relations.

CHAPTER VIII

ETHICS OF THE INDIVIDUAL

MANY of our duties spring from an established social order, and have no meaning apart from society. Other duties are independent of such order, being founded in our constitution and the natural relations of the persons themselves. As long as these persons exist, these duties would remain, even in the midst of social chaos. We propose now to treat in very brief outline of the ethics of this field, under the title of the ethics of the individual in distinction from the ethics of the family and the ethics of society.

We have already pointed out that universal moral ideas must take their concrete form from the specific nature and circumstances of the moral agent. The law of love, as a disposition, gives no hint of its form in practice; and we should make sorry work of deducing actual life from the abstract notion of love. We escape from this indefiniteness by remembering that ethics must find its field in the natural life, and that it aims not to create a new realm, but to give a moral form to the natural life, or to help the natural life to its ideal development and realization. Hence the fruitful work of ethics must lie not in the invention of codes, or in

random casuistry and apriori speculation, but in a study and criticism of the great leading forms of life itself. Social intercourse, the family, the state and the church are the great forms which human life takes on; and human duty takes on forms to correspond. Instead of developing life from abstract moral ideas, we seek to apply moral ideas to the criticism of life. In this way we get a concrete material to work upon, and we also escape the labyrinths of an unending casuistry. We purpose hereafter to leave the field of universal ethics, and to limit our attention to human life and human morality. As we are compelled to pass behind concrete life to find the moral ideas which underlie it, so, conversely, we are compelled to pass back again from the abstract ideas to actual life in order to learn their concrete significance. The abstract idea of love is a cold and cheerless thing compared with love as realized in the relations of friendship or the family. Whatever may be possible for the angels, human love has to begin in those concrete forms marked out for it by our constitution. This is so necessary that the professional philanthropist is an object of general suspicion, and often justly so.

Happily, human beings are not abstract philanthropists, but citizens, neighbors, fathers, mothers, and children; and within these relations the fundamental forms of human morality are to be sought. We return to the subject proposed.

The most general division of the individual's duties distinguishes duties to self and duties to others.

Not all writers allow this division. Some contend that duties to self are improperly so called; as they refer to purely natural interests which take sufficient care of themselves. It does not seem worth while to speak of the duty to eat our meals or to provide for our future. Men, it is said, do all these things naturally, and there is no moral interest attaching to them. Duties proper are found only in action toward others. Self-regarding action is natural, but only altruistic action is moral. The division has also been disputed on the ground that the two classes are not mutually exclusive, each involving the other to a greater or less degree. The last objection is valid in many cases, but not universally.

The other objection, that self-regarding duties are natural and take care of themselves, is true at best only of the most elementary physical duties, and is not strictly true even there. There is need of rational guidance and self-control along the whole line of conduct; for, in man at least, unguided instinct perfects nothing. The objection further assumes that the moral nature is exhausted in the law of good will. We have seen, however, that an ideal of humanity is needed to give form to that law, and that without the ideal the law would be compatible with the most degrading interpretations. The moral person is the unit of values in the moral system; and unless he have an absolute value in himself, no community of such persons can have any value. Now the value of the moral personality consists by no means in what can be got out of it,

but rather in itself. The good man is an end in himself. He is the only unconditional end. He is the end in relation to which all other ends acquire their chief significance in the human order, and to which they owe all their sacredness. Unless we are prepared to open the way to theories of force and violence we must affirm the inviolable sacredness of the moral person.

In this sense duties to self must take the first rank in ethics. No one is or can be responsible for others as for himself. Every one must be a moral object for himself, and an object of supreme importance; for he is not simply the particular person, A or B, he is also a bearer of the ideal of humanity, and its realization depends pre-eminently upon himself. In the unique mystery of self-consciousness, it becomes possible for one to make himself his own object; and nowhere else has he the responsibility that he has here. Every one, then, must have a sacredness for himself as well as for others; and whatever one does for others must be conditioned by what is due, not to his own egoistic impulses, but to his essential humanity. This is the most important aspect of duties to self.

So far as these duties can be considered apart from duties to others, they consist in regarding in both its positive and its negative bearings the ideal of humanity in one's life, in developing and realizing the same, and in the due unfolding of all our powers so as to render ourselves as adequate as possible to demands upon us. Failure in these duties may consist, first, in a flouting and rejection

of the ideal; secondly, in an indolent acquiescence in admitted imperfection; and thirdly, in a general thoughtlessness leading to complete pauperism of soul, and constituting us mere cosmic rubbish, a dead loss to ourselves and to others.

The duty just dwelt upon has as much social as individual reference. This is even more the case with the duty of having an occupation of some sort. A person's vocation is the general form under which he serves both society and himself, and by which he vindicates a place for himself and a title to moral consideration in our workaday world. Rightly understood, the vocation is an institution of great and growing moral significance. In whatever way we approach the subject, we are led to condemn the drone, the trifler, the idle consumer in a world like ours. He has, indeed, been the object of much admiration, especially in countries with aristocratic institutions, but he is slowly coming to be an object of general contempt and condemnation.

There is no need further to treat of duties to self in distinction from duties to others, as they so largely run together. The chief and best part of our own moral development arises only in and through our social activities. Here it is pre-eminently true that he that saveth his life shall lose it. The objection that would find selfishness in such action is purely fictitious, and arises from regarding the abstractions of theory rather than the concrete realities of life. The abstract moral agent is furnished with a set of clearly conceived motives and

is clearly conscious of them all the time; and then we are puzzled how to keep his altruistic action pure from the taint of selfishness. The puzzle is solved by perceiving the fictitious nature of the problem. The motive emerges in the work and experience itself. We find ourselves moved to mutual helpfulness, and we find ourselves enlarged and blessed therein; but that wise egoist who takes to altruism for his own upbuilding lives and moves and has his being only among the abstractions of ethical speculators.

But it is not always that the interests of self and of others are the same. In a certain general way they are identical. The common good cannot fail to be a particular good. An established social order, a developed civilization, widespread culture, these are common goods which are at the same time goods for the individual. But within such a scheme, there are many cases where the interests of self and those of others are incompatible without mutual limitation. This is true of rights in general. Rights for one are limitations for others. Hence the need of adjustment and compromise. Here is a point where exact and final determination can never be made, whether from the subjective or from the objective side. Who can tell where egoism ends and altruism begins; or who can fix the measure of self-sacrifice or of practical help, or of the subordination of the individual to society? Negatively, duty may be clear; but the quantitative determination of positive duty can never be exact. The relation of rest and labor and the measure of each, the point

where rest becomes indolence or labor excessive, the measure of physical and mental training, the scope to be allowed to individual idiosyncrasy in fixing the form of life and the kind of occupation—these questions admit of no final quantitative determination; and such determination as is reached is relative to the circumstances of the person. To attempt to solve these problems theoretically would lead to a pedantic casuistry which would be either absurd or insane in practice. In such matters we have only the conventions of society, which are a species of solution of the question, and a growing apprehension of the bearings of conduct. Concerning these conventions we have the knowledge, first, that they fix the rough outlines of duty and expectation, and secondly, that they are never to be viewed as so accurate as not to need the constant supervision of the free moral spirit. Here is a field for moral originality, a field in which the individual has at once the initiative and the decision. Here, too, is the field for what may be called moral taste and delicacy. Some things are not to be argued about; they must be immediately seen. To need a reason is of itself ominous. To drive a hard bargain with a friend, to sell one's vote, to take advantage of another's needs or ignorance, are deeds of baseness concerning which it were humiliation to argue. It is in this large unformulated field of duty, that the moral spirit of a life is especially revealed.

Hence, our ethical code must always be incomplete. Sundry principles are established, and cer-

tain elementary duties, largely negative, may be laid down; but in applying our principles to conduct as a whole we find great uncertainty as to the ethical frontier. The problem itself admits of no general solution. There is no guide but the moral spirit and such wit and wisdom as we may possess. Accordingly we find great difference of opinion, even among ourselves, concerning the things compatible with personal and public morality. One man wants every one to forego his rights in the interest of some particular weak brother. Another proposes to solve the problem of the tariff by appealing to the Golden Rule. Partisan editors and stump speakers are especially edifying when applying the moral law to their opponents and their opponents' measures. Multitudes everywhere are perpetually trying to impose their opinions upon others under the guise of conscience. This state of affairs, when it does not spring from plain hypocrisy, is due to the indeterminate nature of the moral problem. In such cases every one must be persuaded in his own mind, and would also do well to cultivate charity toward his neighbors.

This impossibility of exhausting duty from the positive side compels a limitation of the discussion. Hence, in order to have a field comparatively limited and definite, we pass to the doctrine of personal rights. By personal rights, in distinction from political rights, we understand those which are founded in the nature of the moral person and are independent of positive enactment.

Our nature demands certain things as the condition of our existence and development. A moral community is possible only through the mutual observance of these conditions so far as they are in our power. Thus they become at once duties and rights. The duties of A with respect to B are the rights of B with respect to A. Our rights, then, are those doings and omissions on the part of others which the general conditions of our existence make necessary in a community of moral persons.

Such rights do not obtain between persons and things. We never speak of our rights against a thunderstorm or a flood. There we use our skill, or put up with our fate. We do not regard ourselves as morally wronged by the physical forces. Nor do we speak of our rights as against the animal world. We recognize that this world is automatic in conduct; and here, too, we use our skill and power. The limited sense in which we recognize rights in the animal world depends on our duties to that world. As sensitive beings they come within the range of our duties, and what is our duty to them may be called their rights from us. But in the full sense of the word, rights exist only between moral beings who are capable of recognizing mutual duties.

With this view of rights we carry the moral nature into this field. The recognition of rights is only an application of the law of good will to the general circumstances of our existence. We recognize one another as moral persons, and accord to one another the rights we demand for ourselves. Hence, these rights have all the sacredness of the

moral personality, and all the binding force of the law of good will.

For various reasons, partly historical and partly speculative, this view of rights has not always been accepted. Rights have been denied outright except as expressions of power. Might makes right, is the classical expression. Or it is said that every natural impulse may rightly fulfil itself; and when there are competing impulses or competing persons, the law of the stronger is the only law. This view reduces to the previous one. In both views the natural state of man is a war of all against all; that is, there is universal competition, with only the parallelogram of forces to decide the outcome.

Such natural rights are no rights; as well might we speak of rights among conflicting impersonal forces. Such a state of nature also is manifestly incompatible with the existence of society. Hence, many have sought to find the sole source of right in positive law. Apart from this we have only war. Society puts an end to this war by establishing laws; and these are the source of all rights. Apart from society, rights are only a question of power; within society they are what society enforces or permits.

Hobbes and Spinoza have given the best expression to this general view. Nowadays we sometimes come upon it as a polemical weapon. When the dealer in natural rights forgets, as he sometimes will, that all rights in a community must be limited by the equal rights of others, and that, therefore, there are no absolute and unconditional natural

rights, the shortest way of dealing with him is to deny outright that he has any rights other than those accorded by society. But this is to meet one extravagance with another. The truth in the claim is simply that the form and measure of rights are often matters of positive law, and that many rights in society are creatures of society. When the claim is made universal, it is a doctrinaire libel on mankind, a veritable idol of the speculative den, and it reduces all rights to acts of arbitrary power or violence. It does not mend the matter to lodge this power in the state, as that only makes the violence irresistible. Mere power can make nothing right. States themselves have been guilty of the grossest injustice and iniquity. The sentence of Socrates was not made just by the fact that the state imposed it. But this is clear nowadays. We return, then, to our conviction that rights and duties are opposite sides of the relation existing between moral beings in any world where mutual influence is possible, and that, too, apart from any social authority. If a social order should arise, its great function would be to defend rights, not to found them. We must never confuse the limitation of natural rights which necessarily arises in a community with a founding of the rights by the community.

The first and primal duty in a moral community is that of mutual good will and the implied recognition of the sacredness and inviolability of the moral personality. This implies the sacredness of both

life and liberty, and in this sense a right to both. These are the most fundamental of all rights in a moral community, and are self-evident in their necessity.

The right to freedom would meet with universal assent, as expressing the normal relation of human beings, who are on the same plane of development. A doubt, however, might arise in the case of those of inferior development and powers. In such cases the truth seems to be as follows: Ethics can never recognize anything but freedom as the ideal to be aimed at; and in so far as any diminution of freedom is allowed, it must be impartial and in the interests of all, or it must be only for reasons universally valid. That diminution, again, may never be absolute, or go to the extent of subjecting a person in all respects to the will of another, neither can it be allowed to last beyond the reason on which it rests, so as to form a condition of abiding and inherited servitude. Unconditional subjection is no longer permitted even in the case of the cattle. So far as the freedom of the person involves serious danger to the community, either because of ignorance or viciousness, it is restricted by the right of self-defence. The measure of vice or ignorance which should limit freedom is an indeterminate problem. Ethics insists only upon freedom as a right of the moral, not of the immoral, person. It would be fairly hard to vindicate any rights for the latter, in so far as immoral.

The only form of slavery which could be ethically allowed would be something analogous to the sub-

jection of children; that is, it would be tutelage, not slavery. But this form has never existed; and it manifestly requires so high a grade of development on the part of the tutors that it is not likely soon to exist. The only place where it is possible, apart from the family, is not in the relation of individuals, but in the relation of the higher nations to the lower and childish peoples. It would be a great gain for humanity if the tribal organization of a great many barbarous peoples were overthrown and they were subjected to tutelage in civilization by any strong and just power. But this also is somewhat utopian. Thus far the higher nations have seen in the lower little but raw material to be exploited by their own selfishness. At the same time something has been done. England has accomplished something for humanity in India and Egypt.

Some measure of property is necessary to human existence. The need is founded in our peculiar relations to the means of existence and of self-realization. If the means of existence were as free and abundant as light and air, there would be no such thing as property in them. But the mass of necessary things, as food, raiment, shelter, are not furnished freely by nature but only in response to our effort and labor. Hence, the need of some property as a condition of life itself.

Property is equally necessary as a means of self-realization, and that not merely as an actual possession but as a recognized ownership. This is the supreme condition of any consistent and successful

activity whatever. In order to carry out a plan or to realize any aim in the world of things, I must be secured in my possession of the objects with which I am dealing. If others might arbitrarily break in upon my work and appropriate my materials and products, there could be no human existence. Property with the implied recognition of ownership is the great institution whereby the individual secures his own freedom and realizes himself.

Property is an equally important institution for society. Without ownership, society could not advance beyond savagery. If no ownership were allowed beyond what could be physically defended against all comers, civilization would be impossible. The motive for acquirement would vanish, and possession would be the signal for robbery. Property, if not the centre of life, is certainly one focus. It is the centre of a great system of moral and legal relations, and of civilizing forces.

Property, then, is a necessary institution if we are to have any civilization. Out of this fact grows the right to property. Of course, this does not mean that others must furnish me with property. As the right to life really means the right to undisturbed continuance of existing life, so the right to property really means only a right to undisturbed possession of such property as we may rightly acquire. This right as a condition of human development is beyond all question. The debate on this subject concerns not the right to property, but the measure of this right, or the validity of certain positive rights in given states of society, or the

right to a certain kind of property, as land. Even those who propose to do away with private property have only certain forms of property in mind; and they all hold that the tribe or commune or state may have property rights as against other similar bodies of men. The author of the famous declaration, Property is robbery, did not think it robbery for the French nation to hold French territory as against any other whatever. Thus the idea and necessity of property are universally allowed; and the only actual question concerns the measure, the kinds, the holders, and the modes of acquiring property. That property is an absolute condition of human existence, and that there are duties and rights essentially connected with it, is beyond all dispute.

If property were an absolute creation and could be kept in a world by itself, its creator might well claim an absolute right in it. In most cases, however, productive activity must avail itself of the raw materials of nature to which he can lay no claim to an exclusive right. Private property in the common of nature is only a modern idea, and is necessarily limited by the public welfare. This does not mean that the community has a right to plunder the individual, but to prescribe the universal conditions of property-holding as demanded by the common good.

In a world where there is enough for all and where things are not yet owned, property might be originally acquired by taking possession, and by expending labor on the object. In the civilized world,

this method is almost obsolete, as pretty much everything has passed under ownership. The public lands are held by the public. More and more, society prescribes the conditions and modes of acquiring and retaining property. So far as it does this, not with the aim of robbing the individual, but with an eye to the common interest, its action is justifiable. The individual is compelled to use his property so as not to be a menace, or a nuisance, to his neighbors. Testamentary rights are defined and limited. The earth belongs not to the dead but to the living; and entail and mortmain are permitted only to a limited extent. The dead hand must relax its grip.

What constitutes property is not immediately clear. Men in their sense bondage have been unable to see property in any but material forms; and these vary with the social condition. Thus, in the nomad stage, property in land would be non-existent, as land would have no value. Property in ideas, inventions, literary productions, and the like, is of very recent recognition; although such things come nearer than any others to being absolute creations. There are, too, peculiarities about this type of property which make the right more difficult of determination than our off-hand moralists suspect.

4

In the moral intercourse of a normal life, truthfulness is an absolute duty; and to the truth we have a right. Let your yea be yea, and your nay nay. This is the ideal of social intercourse. Whatsoever is more than this cometh of evil and tendeth to evil. This is beyond all question. Language

itself presupposes truthfulness; for without it speech would be absurd. Lying is looked upon as peculiarly contemptible in the liar, and as involving an especially exasperating affront to the person deceived. Hence ethical writers have generally been very emphatic against it as being about the sum of all iniquity.

At the same time, it is manifest that a right to the truth presupposes the existence of a normal moral order. In time of war, the enemy has no right to be informed as to our purposes. The conventions of society are for the time suspended, and craft and deceit are allowed. Of course, even military enemies may meet in purely human relations, or they may agree upon something; and then the agreement should be regarded; but in general they understand that they have to use their craft and cunning, and that they believe at their own risk. In a similar manner in society, no one has a right to an answer to every prying or malicious question. No one has a right to information of which he proposes to make an evil use. To talk of a right in such cases is sheer absurdity. In all such cases we have something analogous to the state of war; and the right to the truth is equally non-existent in both cases.

Probably all would agree that the persons mentioned have no right to the truth; and if simple silence on our part would prevent them from learning the truth, we might and should be silent. But whether we may positively mislead the persons by telling untruths is a point of notorious difficulty and

ill-odor in casuistry. Moralists have largely contended that it may never be allowed. Kant would not hear of an untruth even to save life, holding that if a bloodthirsty villain were to ask us where his intended victim was concealed, we should be under obligation to tell the truth, if we told anything, even with the certainty of causing murder.

Ethical opinion has been greatly divided upon this point. In general there has been an agreement that an immoral promise ought not to be kept; and this has seemed to be a permissible violation of personal truthfulness. But it seems strange that one should be permitted to break his word in the latter case, in the interest of morality, and not in the former. There is, too, no agreement as to what constitutes the lie. If we limit it to words spoken or written with intent to deceive, we forget that lies may be told without words. If we extend it to actions done with intent to deceive, we take in a larger number of cases which are generally excluded from the category of lying. The wearing of a wig or of artificial teeth or limbs may well be done with intent to deceive others as to our physical imperfections. Hence, some rigorists have condemned these things as lying; but the good sense of men has decided that in this realm the truth is the person's own affair, and that others have no right to it. In fact, underlying the way taken by ethical thought, there is the conviction that the duty of truth-telling lies within the realm where others have a right to the truth. Outside of that realm the truth is within one's own power. The question whether novels

and fictitious tales are violations of truthfulness would hardly be raised nowadays. Its raising would argue such a subjection of the spirit to the letter as to be a highly suspicious circumstance.

Yet even in cases where we regard the truth as in our own power, there are considerations of expediency which are by no means to be disregarded. There is first the psychological fact that inexactness of statement, exaggeration, unreality in speech are sure to react upon the mental habit of the person himself, and upon the estimate in which his statements are held by others. In dealing with children, also, however convenient a romancing statement might momentarily be, it is unquestionable that exact truthfulness is the only way which does not lead to mischief. Even in dealing with animals, it pays in the long run to be truthful. The horse that is caught once by false pretences will not be long in finding out the trick. The physician also who dissembles quickly comes to lose the confidence of his patient, and has thereafter no way of getting himself believed.

In estimating this result we need to notice precisely what it is. It is not a question whether common vulgar lying is ever permissible. This always lies within the field where we have a right to the truth, and where men repose mutual trust in each other. It springs, too, from a selfish or cowardly or diabolical motive; and reveals a baseness of soul than which there is no greater. The untruth about which there can be any question lies always in another field. The selfish baseness of

motive also is lacking. The rights of the other are not infringed on; rather the aim is to maintain rights, or to secure a good which were otherwise lost—to quiet the sick, to mislead the evil-doer, to thwart wrong, etc. In such cases the spirit has precedence of the letter. It is a choice of evils; and in such a conflict we must choose the least. At the same time, he who departs from the formal law of truth does so at his own risk. It may turn out that straightforwardness would have been safer after all; and in that case he will have a burden upon his conscience which the sense of having meant well will by no means remove. Theory can lay down no rule for such cases. They have to be dealt with individually, and by every one for himself.

Important practical illustration of this subordination of the letter is found in the part played until recently by legal fictions. They without exception assumed an unreal state of affairs, whether of law or fact, in order to make the case amenable to legal treatment or to avoid some grave injustice. Certainly such a condition of the law is not desirable, but, given such a condition, the fiction is better than the injustice. A strictly literal interpretation of subscription to a creed sometimes gives rise to similar embarrassment. The attempt to solve some of the deepest questions of speculation by easy appeals to the divine veracity also illustrates the uncertainty of our notion of veracity except as limited to the every-day intercourse of practical life. Unveracity, in the sense of illusion, is one of the most

prominent features and indispensable conditions of our existence.

Freedom of contract is one of the most important factors of the right to freedom. When the agreement is made, then the right to the truth is emphasized and extended in the right to demand its fulfilment. The right and the duty in this case in no way depend on the existence of a social order or of an established government, but spring directly out of the relations of the persons concerned. If they were alone in the world, the right and the duty would remain unchanged. Society has nothing to do with contracts or agreements between individuals, either to enforce or hinder them, except as they may affect public interests. Numberless agreements, therefore, are left to the consciences of the contracting parties, when their nature is indifferent to social or public interests. On the other hand, society prevents the fulfilment of all contracts which may be immoral, or illegal, or which may be not absolutely immoral but prejudicial to the existing social order, or which may tend to evils. Under this head come bets, gambling debts, promises to pay without value received, and the many agreements and contracts which are declared void because contrary to public policy. Society further compels the fulfilment of such agreements as may be necessary to public interests, and without whose binding force no stable social order is possible. Morally, the contracting parties have no more rights in these cases than in any other, the only difference being

that the law enforces the right in one case and not in the other. The moral nature is too little developed in general to get along without some external re-enforcement.

Not every agreement is binding. This is recognized by law and good sense everywhere. The freedom of the contracting parties being presupposed, the main conditions which give an agreement or promise binding force are these:

1. The agreement must propose no violation of the moral law. The notion that one can be morally bound to an immoral deed is an ethical contradiction. At the same time the guilt of the agreement is hardly removed by failing to keep it. That would be too easy an absolution.

2. The contracting parties must be of sufficient mental development to understand what they are doing. Hence, promises and contracts by minors are rightly held to be void.

3. There must be no deception on either side as to the scope and meaning of the contract. Where such deceit can be shown, so as materially to affect the nature of the case, the promise or contract is morally void.

4. A contract is not morally binding when one of the parties is seriously mistaken about the difficulty of the work proposed, or when in consequence of changed circumstances the difficulty increases in an unexpected manner. In such cases, the circumstances having greatly changed, the terms of the promise or contract may demand what the original intention and promise never included. It is, then,

the moral duty of the one who has thus unexpectedly won so great an advantage to grant the other some relief. Of course such duty does not apply to the small fluctuations to which all markets are normally subject; as in that case most contracts would be worthless.

5. Compulsory promises are in general not binding. Neither can promises whose fulfilment depends on certain views or disposition be held unconditionally binding when the views or disposition have undergone a permissible change. In such cases, arising from human weakness and lack of self-knowledge and foresight, the best solution of the problem seems to be to excuse the promiser from keeping his promise but to hold him liable for any loss or damage resulting to the promisee. Here, as elsewhere, human weakness and ignorance, the undeveloped state of the moral nature and the uncertainty of human conditions make the measure of obligation indeterminate. Vows of all sorts belong here. At the same time, one cannot live long without feeling a growing respect for the man who, having sworn to his own hurt, changeth not.

The necessity of regarding contracts from a social as well as a personal point of view has produced a considerable difference between the legal and the moral doctrine of contracts. Many contracts are morally binding, but the law will not enforce them because of the lack of some formality, or because they are judged contrary to public policy. The law also assumes in some cases to release persons from obligations, as in the case of outlawed debts and bank-

rupt laws. Such things can be justified only on the ground of social necessities, and can never constitute a moral release from obligation. The ease with which the debtor accepts a legal release for a moral one is a striking illustration of our embryonic moral development.

The rights to life, property, freedom, reputation, and those arising from contract are the elementary rights in the community. These admit also of jural expression and vindication. Beyond these, rights become vague and admit of no exact formulation and vindication. Hence, they have to be left to the insight and faithfulness of the moral person and to the control of public opinion. We have a right to good will, but there is no way of enforcing it. We have even a right to help from others according to the measure of our need; but this is a right which can be neither formulated nor enforced. This vagueness, together with the mischief resulting in weak minds from allowing a right to help from others, leads to a general denial of any such right. Hence a desire to limit rights to such claims as can be legally enforced, or to make a distinction between perfect and imperfect rights. It is better to recognize that not all rights can be enforced, and that not all rights can be expressed in exactly definable duties. An example is found in the right to all the recognized and current forms of respect which obtain in the community, and to freedom from all insolence of manner and assumption of superiority. Uninvited familiarity, uninvited interference with

one's plans, uninvited criticism of personal matters, overbearing and assuming manners are a violation of the mystery and sacredness of personality which good will forbids and self-respect rejects as an affront. The general lack in this regard, which is so prominent everywhere, results partly from thoughtlessness and partly from a coarseness of feeling analogous to that which finds in physical deformity a ground for assumption and amusement. The homely duty of minding one's own business is one of the utmost social importance.

The right to a charitable judgment of our motives is equally plain. Some acts, indeed, carry their motives with them; but most of our deeds do not. The complexity of life and its uncertainties are such that the best motive may fail to secure its aim; and it is a dictate of charity in such cases that we restrict our judgment to the deed and its results without extending it to a condemnation of the person. One of the strongest proofs of human weakness is the ease with which we do the opposite. Prejudice almost invariably takes the direction of unfavorable judgment; and whenever any mistake is made in public or private activity, it is hard to persuade ourselves that it did not arise from an evil motive. For the partisan, the members of another party are always very special manifestations of the unfruitful works of darkness.

CHAPTER IX

THE ETHICS OF THE FAMILY

From the general moral relations which obtain among men we now pass to something more distinctively human. This is the institution of the family, the fundamental moral institution of the race, and the one above all others sacred. It arises from the peculiar forms of human existence, and especially from the forms in which human life begins. The long period of human infancy, physical and mental, makes the family a necessity of human development. It is not a universal moral relation, but only a human one. It stands, however, in such important relations to the moral and physical well-being of the race that, if not a form of universal morality, it is a very significant form of human morality. But here, as elsewhere, ethics has not to invent relations, but to seek the ideal form of those natural relations which are founded in the constitution of human life; or, as Schleiermacher has it, the aim of ethics is to impose reason upon nature. The ethics of the family, then, must be based on the essential nature of the family.

At the foundation of the family is the institution of marriage, which is estimated variously as a civil contract and a religious sacrament. In some

aspects it is a contract; it is freely entered upon by two persons. At the same time it is not a contract whose contents can be determined by the arbitrary volition of the parties, nor is it any invention of human wit. The necessity and meaning of the relation are found in the nature of the case; and neither law nor ethics has the function of producing the natural relations and necessities on which marriage is based.

The contents of the notion of marriage spring partly from the physical side of our being and relate to the perpetuation of the race. But this is far from being the whole of the matter, or even its most important factor. The social and affectional nature and the various natural desires and ambitions which emerge in social life find their highest satisfaction in the marriage relation and the family life which it founds. Accordingly, there is a very general judgment, and one in which is the main correct, that the unmarried life is relatively forlorn and increases in forlornness with years.

The importance of the family as a moral institution, or as an instrument for securing the moral development of men, is manifest. Even if the race could be propagated without it, the greater part of the moral culture of both parents and children would be lost. It is there that we get the first and best lessons in love and patience and mutual forbearance. It is there also that we get our best lessons in reverence, submission, self-control, and living together. Unselfish devotion also is generally bounded by family limits. Unselfish living, which

is so nearly the sum of moral living, is almost exclusively confined to the family life. Here the unselfish life is almost a matter of course. It is this fact which gives the family its importance as a moral institution. The toil and sacrifice within the family necessary to keep the world agoing are something prodigious; and the fact that they are undertaken as a matter of course, and, in the main, uncomplainingly and ungrudgingly carried through, is a great item to be put to humanity's credit.

We have, then, in marriage and the family an idealization of the physical relation of the sexes, a recognition of the deepest needs of humanity, and an instrument of unequalled importance for the moral development of the race.

Of such an institution the lower orders of life give no hint. Their various unions analogous to marriage have no aim beyond the continuance of the species. They show nothing whatever suggesting a moral relation, or one looking to a moral development. Hence, temporary unions serve all purposes in the lower orders. There is also no abiding affection for the offspring. The period of infancy is short; and with its close all interest seems to vanish. Nature, too, is by no means unfavorable to polygamy; nor is it entirely hostile to the union of blood relations. Such hostility as may exist is a simple outcome of physiological laws. If now we find in marriage a series of determinations very different from what we find in the animal world, we must conclude that man is not content to leave marriage on a purely physical plane, but seeks to elevate and

idealize it by giving it a form peculiar to himself, and reflecting the superiority of his own nature.

What the historically first forms of marriage were, we have no occasion to inquire. In any case we are not likely to learn much about them, until we become willing to learn what *was*, instead of deciding from some fashionable speculation what *must* have been. But whatever they were, as the race develops there is an approach to agreement in the following conditions as demanded by the ideal of marriage:

First, the union must be permanent. This is a necessity of supposing marriage to be based on affection and not simply on passion. Love cannot be love and look forward to a time of indifference. It is equally necessary for securing the moral ends of the family relation.

Secondly, the consecration and surrender must be mutual. The complete surrender of the wife to the husband becomes a degradation unless the surrender of the husband to the wife be equally complete and exclusive. Apart from the practical numerical equality of the sexes which gives us an important hint in this matter, polygamy must be a very imperfect form of marriage in comparison with monogamy. Both for the one husband and for the many wives, it is an un-ideal relation at best, and commonly it is something much worse. Accordingly civilized nations have agreed in proscribing it. Polyandry has had so little historical significance that there is no need to consider it.

Finally, the set of feelings which cluster around

the marriage relation must not be brought into conflict with those which cluster around any other natural and normal relation. This is the real source of the opposition to marriage between persons closely related by blood. Nature itself in the animal world is not markedly hostile to such unions; but the feelings which cluster around the marriage relation will not unite without mutual destruction with those which spring from the parental or sisterly relation. Hence, such unions have generally been regarded with horror as among the most shocking crimes. Accordingly to Plato they are "unholy, hated of God, and most infamous." Hence incest has generally been forbidden and punished. Ecclesiastical law has often extended the prohibition to less intimate relationship, without, however, much rational warrant.

That these conditions are necessary to give marriage an ideal form, or to make it compatible with the best development of humanity, has been universally recognized by civilized nations; and as ethics has this development for its supreme aim, it must insist on these conditions. Of course, as society abounds in persons who have not developed beyond the animal, we are likely long to have defenders of the freedom of the kennel, or the cattle, as the human ideal in this respect; but they serve merely as a warning example of the baseness possible to humanity.

The moral validity of a marriage depends only on the free choice and action of the couple concerned,

and no other power whatever can be viewed as its source. No law can make a forced marriage valid; and no law can make a voluntary marriage morally invalid. The law may decline to recognize such a marriage by refusing to accord or enforce certain rights, especially those of property, which go with the marriage relation, but it cannot make the marriage morally invalid. If, then, the interests of society were not affected by their action, the pair concerned should be free to manage the matter for themselves. However, marriage is not a socially indifferent thing. The married couple need the recognition and assistance of society; and society in turn has the right to demand a specific announcement of the relation it is expected to recognize. Hence, the various forms of marriage ceremony. These have a double function. Of course in many cases personal vanity is the most prominent feature; but the ceremony itself springs partly from a religious desire to relate the union to the divine order of things, and partly from a need of informing society of the fact that a marriage has taken place. Society has further the right to say what marriages it will recognize; and marriages which do not meet the conditions are held to be legally non-existent. Certain strong-minded people have thought it well to ignore the social regulations in this matter, holding that true marriage lies in the free choice and devotion of the persons concerned. Then two things happen. They first find their union not recognized as marriage by society, and next, as the union is legally non-existent, the wear and tear of life soon

ends in the abandonment of one party, generally the weaker, by the other. Humanity is weak; and fidelity commonly wears better when supported by law than when left to the bare sense of honor. At the same time, we must repeat that the marriage ceremony, in so far as it is more than a mutual pledging of faith, is only a notice to society, and is not necessary to the moral validity of the union.

The particular demands made upon the married pair in this respect vary greatly with time and place. They are partly religious and partly legal. With the Greeks and Romans in their best days, marriage was essentially a religious act and was attended with many ceremonies of a religious character. Christianity has also given it a profound sacredness. In the classical world society fell into grievous laxity in the matter. In the Christian world also, partly from ecclesiastical abuses and partly from more doubtful causes, marriage from being a religious rite has often passed over into a civil contract, dependent only on certain legal formalities. The ground of these forms, however, lies only in their importance for guarding the interests of society and of the married pair themselves. They are not necessary to give a marriage binding moral force. That depends entirely upon the free choice and action of the persons concerned. Moreover, when these forms collide with individual freedom as the only source of marriage, or with the moral interests of all concerned, especially of society, then they are to be modified or abolished. The marriage customs of India are illustrations of the former

collision; many of the ecclesiastical demands which have been current from time to time illustrate the latter. It has at times been necessary to secularize marriage in order to escape ecclesiastical tyranny. The moral well-being of all is the true aim and the only sacred thing. All else is instrumental, and is to be estimated accordingly. At the same time it must be noted that the forms of marriage ceremony are not matters of indifference. Those forms which emphasize the sanctity of the relation and connect it with the divine order are to be preferred, even on prudential grounds, to those which view marriage as merely a civil contract.

The ideal of marriage demands that the union be permanent. Hence death is the only normal dissolution. Unhappily there are many failures in marriage as well as elsewhere, and thus it becomes necessary to consider the abnormal dissolution of the relation.

If only the pair themselves were concerned, the question whether the difference of tastes, disposition, and character is so great as to make their further union morally worthless, if not injurious, might be left to their own consciences and judgment for decision; and in such case of isolation it would seem to be the best solution of such a difficulty that the husband and wife should separate and go their separate ways. "Free love," so far as it is not identical with fornication and adultery, rests on the fancy that only the interests of the married pair are to be considered. Other interests, however, exist; and to

guard these society has adopted certain regulations. These vary very greatly for different times and places. Among the ancients divorce was almost impossible when the marriage had been religiously celebrated. Some ecclesiastical bodies still disallow all divorce. The civil regulations consist mainly in a refusal to remove the legal obligations which the pair have assumed, and in the law against re-marriage while both are living. But there is no good reason for compelling husband and wife to live together after their union has become morally worthless and revolting.

But it would be productive of great mischief if the marriage relation were lightly assumed, and marriage itself would sink to the level of concubinage if its obligations could be lightly laid aside. Hence society, out of regard to the best interests of humanity, forbids the thoroughgoing dissolution of the relation. Morality, and hence humanity, have a supreme interest in maintaining the sanctity of the marriage relation; and the laws upon the subject should look to these general interests and not simply to cases of individual hardship, which, moreover, will arise under any laws whatever. These moral interests would seem to be best conserved by forbidding absolute divorce except for adultery, for cases where gross fraud and deception have been practised, and for cases where one party has repudiated the relation by groundless and long-continued desertion. Even then the right to remarry should be accorded only to the innocent partner, unless we wish to encourage crime. A

stringent law upon the subject would doubtless do a good deal to prevent unlike affinities from manifesting themselves to the extent customary when divorce is easy and re-marriage possible. Things which we know we cannot have we seldom desire, and things we know we must put up with we make a shift to endure.

Of course only a brute would dream of making sickness, insanity, the various ills that flesh is heir to, and the manifold imperfections of character which in one form or another all possess, a ground for divorce. These do hinder the realization of the ideal of marriage, but not to such an extent as to call for separation. They belong rather to the general burden of life which the pair promised to bear together when they took each other for better or for worse. In ancient society the family was founded less on affection than on religion, and this determined the divorce laws to a large extent. The primeval ancestor worship made children a necessity. Hence celibacy was a crime and sterility a ground for divorce. The ancestors must be fed or they fell into misery.

The Roman jurists called marriage a community of life, and our own Scriptures call the two one flesh. Such an ideal of marriage would of course imply a community of property. This is so plainly the natural arrangement that it has generally been a matter of course. Unfortunately humanity is still weak, and the love of money continues to be the root of much evil. Experience has awakened

distrust of communism in property, even between husband and wife, and marriage laws have largely been modified so as to remove the wife's property from the husband's control, and also to free it from liability for his debts. Such an arrangement is not an ideal one, and it may even work injustice in many cases. Without much mutual affection and some good sense, it could easily lead to domestic discord. It also contains great possibilities of scoundrelism. On the other hand, it enables one to provide for his family, so that untoward circumstances shall not prove fatal; and it serves to prevent marriages for money to the extent common where such division does not exist. It also saves the wife from those peculiarly galling mortifications which thoughtless and mean husbands so often inflict in doling out even necessary money. Upon the whole, it seems the best arrangement for the present stage of human unfolding.

Within the family a division of labor results from the nature of the case. This, however, is not to be viewed as based upon any assumed difference of rights or authority, but upon the practical necessities of life. In ancient law the wife was a minor, and that especially because of her relation to the family religion. She was under the control of her husband, or, if a widow, of her sons or of her husband's nearest kin. In savage tribes there is a general tendency to regard the wife as an inferior being. Echoes of these earlier notions are still heard among ourselves. Such a notion could be main-

tained only on the assumption that the wife is a distinctly inferior being, mentally and morally, who must therefore be kept in a state of tutelage. Apart from this notion, we must hold that the husband and wife stand on an equal plane of honor and rights, and that the division of labor which is made must spring out of the nature of the case. Society has constituted the husband and father the official representative of the interests of the family, and has given him certain rights corresponding to his special obligations. Legal proceedings are instituted by or against him. He is held for taxes, debts, and damages. In return he has certain powers denied the wife and children. As an offset the wife has immunities, such as freedom from being sued for family debts. This division of labor in single cases may not be the best, and the laws may often work hardship. Such cases cannot be avoided without an infinitude of special legislation, which would do more harm than good. Any demand for modification of the laws must rest upon showing that the laws are unjust in their general bearing.

The remark often made in this connection, that there must be a head to the family, and hence that the husband must be the seat of authority, appears to be one of those abstract utterances which seem important until one aims to understand and apply them. However much pretence or assumption of authority there may be, all matters are settled between rational persons on rational grounds, mutual concession and compromise; while between irrational persons they are settled by more aggressive

methods. There is a ludicrous inapplicability of the theoretical doctrine of authority to the relation of husband and wife, as it exists among ourselves. Many a bold defender of the husband's authority has been subdued to the passive voice by a wife with a mind and personality of her own; while the most timid and shrinking wife, theoretically, who would on no account venture beyond her sphere, may be a veritable virago in practice. Apart from certain legal disabilities which no longer represent either wisdom or justice, and which demand appropriate modification, the husband's authority has had to adjust itself to a recognition of the equal rights and interests of the wife, so much so that, with the exception noted, the debate has practically become a verbal affair of no real interest. As the moral reason develops there must be a growing refusal to recognize, or exercise, any authority other than that of right reason itself. As the converse of this fact, the notion of the husband's authority finds its stoutest defenders among savages. If we suppose the husband and wife to be equally and fundamentally moral persons, then, while physiological and anatomical differences may determine the form and sphere of their respective duties, they can found no difference of rights, except as they are related to those duties.

Marriage, like all other human institutions, shares in the imperfection of humanity. For perfect marriages we need perfect men and women. Until we get them, marriage will be relatively imperfect. This fact will long give voluble and conscienceless

persons of the Yahoo type a chance to declaim on the failure of marriage. What they would put in its place is left to easy surmise. With such persons marriage is of course a failure, and for the obvious reason that they themselves are failures. The earnest and thoughtful, however, who are still the salt of the earth, will always insist on determining the ideal and the laws of marriage in accordance, not with the demands of passion, but with the interests of rationalized and moralized humanity.

The mutual duties of parents and children cannot be deduced from their physical relations. The parents are not such absolute creators as to have unlimited power over their children. Historically, indeed, such power has been claimed, at least for the father. In fact, however, human action in generation is only the occasion upon which a power not themselves introduces new souls into being, which new souls, like the parents themselves, have a moral task to perform and a moral ideal to realize. Hence every *patria potestas* which claims a right over the life of the children, or even a right to control them beyond a certain period, is a wholly untenable notion. On the contrary, the rights of the children, at least in early life, are much more evident than the rights of the parents. It is the undoubted duty of the parents to provide not merely for the present subsistence of the children, but also such education, physical, mental, and industrial, as shall fit them to enter upon the struggle for existence under as favorable conditions as possible.

Modern law has had to emphasize the duties of parents rather than their rights, and has also had to interfere in many cases to secure the performance of the duties. This has been especially the case in the matter of education, and of the exploitation of children's labor by ignorant and selfish parents.

Of highest importance is the duty of parents to regard the growing independence of the children. It is fairly hard for parents to recognize that their children are to become independent, self-directing, moral beings. This is particularly the case with the more thoughtful and affectionate among parents. They would keep the children children, in order that they may possess and protect them. Hence there is a failure to recognize and encourage self-reliance. In this way damage is done to the children and to society, and the aim itself is not reached. Under such circumstances the unfolding will which feels a strong impulse to realize itself secures its recognition in the family only by a measure of obstinacy, which sometimes borders on revolt and is harmful to all concerned. But even this result is better than the opposite, where weakness of will and lack of resource and self-reliance perpetuate infancy into the years of maturity.

On the other hand, the duty of children to obey their parents while under their control, except in cases of conscience, to respect and honor them always, and to provide for their support in case of need, is too evident to call for more than mention. Equally needless is it to specify in detail the duties

and rights pertaining to the relations of the family. The ideal of the family is seldom realized, and hideous caricatures, or rather desecrations, abound; yet after all it is the best thing our poor race has to show. Nevertheless, an exclusive family life would not suffice for a perfect mental and moral development. It is too narrow for full mental development. A set of ideas are repeated, and traditional customs are mistaken for universal truths and sacred obligations. The atmosphere of home is also somewhat relaxing to the sentiments of justice and righteousness, and a sterner air is needed to bring them out in their strength. Much is borne which ought not to be endured, and often much is blamed which deserves no blame. Through this mental limitation of the family circle both mental narrowness and unjust prejudices are produced. A certain immaturity of character and lack of self-reliance are also a common result of an exclusive home life. We need the life of the family and we need the larger life of society. Hence the limits of the family must be transcended, and men must meet on the open field of the world, not as relatives but as men. This mental and moral need is re-enforced by our social nature also, and by historical necessity; and thus the higher social institutions are born.

CHAPTER X

THE ETHICS OF SOCIETY

HUMAN beings exist not merely as an aggregate of individuals, or as members of families, but also as members of a social organism which assumes to control and, if need be, to restrain and coerce the individual. This is the next great institution of humanity.

This organism is variously called society, the state, the nation. The last term is somewhat ambiguous, as it often has linguistic and racial connotations which distinguish it from the state. This is particularly the case at present, when the demand is so often heard for the construction of states according to the principle of nationality. As it is, the state often comprises several nationalities. Of the other terms, the state is more commonly used, but society has the advantage of suggesting that the state is not a something by itself, but only an organization of human beings, and that power must finally emanate from the people. Besides, many things are true of society, as the community of persons, which are not true of the actual state. Thus the interests of society may involve the overthrow of the state, as in the case of the petty states of Germany and Italy. For the present, then, we shall speak of society rather than the state.

Human activities fall into two classes, individual and social. In the latter case men work together under the forms of law and government, and subordinate the individual to these forms. As thus co-working they are more than an aggregate of individuals; they are an organized community, which has authority over the individual, and powers not entrusted to any individual. This organism we call society, and our aim is to consider the ethical ideas which underlie it. It is no part of this aim to treat of any particular government, or of the historical development of society.

This limitation of the inquiry is all the more permissible from the fact that, without some ideal standard, neither criticism nor history tends to edification. It is also no objection that society, in distinction from some actual government, with its peculiar forms and laws, has never existed. The abstractions of mechanics nowhere and never exist, yet physical science is based on them. In like manner it is of use to form the abstraction of society for the sake of considering it in its ideal and examining its ethical grounds and warrant. In this way we get a standard for measuring actual societies and governments. Napoleon said that the "ideologists," by whom he meant the abstract political theorists, had destroyed France; but there would have been no destruction but for the abominations of the old régime.

A great social development is conceivable without the existence of government. There are great

fundamental rights and interests which precede government, and which society therefore may defend but does not found. These concern especially property, the family, contract, and the security of the individual. It is conceivable that in certain stages of moral and mental development these interests should need no defence. If men had perfect insight and good will there would be no need of society as a restraining or coercing power. There would be wisdom to understand the conditions of life and the common good, and there would be the will to co-operate in securing it. Society, as an aggregate of individuals, would meet all the demands of personal and social development. Out of their interaction with the social and physical environment, the social order and mechanism would arise without any governmental intervention. Even as it is, economical, intellectual, and spiritual interests generally flourish better when left to individuals and voluntary organization than when undertaken by the state. Such a society would be anarchic and lawless, not indeed in the sense of being a prey to riotous disorder, but in the sense of having no external law and authority, owing to the sufficiency of the law within. In this sense anarchy might be said to be the ideal state of social existence. It would be the millennium.

But existing human beings are not of this sort. However much the functions of government may have been exaggerated, and however damaging to the interests of the community actual governments may have been, some measure of government is a

necessity to human existence. Men lack insight, and in their ignorance they often contrive to poison the wells of the common life. They are selfish also, and are all too willing to set their egoistic aims above the common weal. They likewise lack good will, and not a few are always ready to plunder their fellows in one way or another. Passion and selfishness, too, prevent any impartial estimate of their own rights and wrongs; so that any attempt to adjust them by the individuals themselves is likely to result in unending feuds. Again, in many most important economical undertakings an authority above the individual is often necessary to make them possible. On all these accounts there is needed among men a supervising, restraining, and coercing power, which shall have the function of defending rights, repressing wrongs, and securing the common weal. To guard the individual in his natural rights, to secure the impartial and passionless administration of justice, to restrain lawlessness and violence, and to conserve the public good—this is its fundamental function. This power may exist in a variety of governmental forms, from the simple patriarchal form to the complex structure of a great modern state, but the essential idea is the same in all forms. Historically, of course, this ideal has been very imperfectly realized in the great majority of states. Nevertheless, it has been implicit in all history. It is the only conception which ethics can admit, and it is the one toward which all political development has been slowly moving.

Society, then, as a governing organism, is no human invention or arbitrary imposition, but arises necessarily from the form and nature of our existence. The family itself would lead to it, if all other hints were lacking. The fiction of the political writers of the last century concerning an original social compact whereby society was first constituted is utterly groundless. Such a fiction might be of use in illustrating the claim that power is from the people, and in showing the baselessness of existing despotisms; and indeed it served this purpose admirably, and proved a most potent solvent of belief in the divine right of tyrants and privileged classes. But, historically, government in some form, at least embryonic, is contemporaneous with humanity.

Again, the social order is no arbitrary imposition of violence. Back of both the individual and the collective will is the fixed nature of things, the moral law, the natural rights of the person, and the constitution of the objective world; and all that men or nations do must finally be referred to these as their warrant and foundation. These constitute the law of nature, that higher law, antecedent and fundamental to all statute law, which has always haunted human thinking in this field; and so far as society departs from this law it loses all justification. When society banishes Aristides, condemns Socrates to drink the hemlock, and orders a Bartholomew massacre, it is condemned of God and man.

Society, then, is not to be conceived as a rule of the strong over the weak, nor as a tyranny of the

majority over the minority, but as a subordination of all, ruler and ruled alike, to the highest common good. This it is which constitutes society a moral institution and gives it all its majesty and authority. It is not a necessary evil; in its idea it is not an evil at all, but an incarnation of beneficent righteousness.

The claim that society is based on simple might is only too true of very many historical formations. It is as a theoretical truth that we reject it. On the other hand, many have been so impressed by the beauty and majesty of the ideal of society as an incarnation of the moral order of the world that they have overlooked its instrumental character altogether, and have erected it into the great end of human development. The individual is only the material for filling out the social form, which, in turn, has supreme value in itself. Against this view we must point out that, after all, the individual is the only concrete reality in the case, and that all social forms, of whatever kind, must be judged by their relation to the realizing of personal life. The family, the state, the church have no value or sacredness in themselves, but only in their securing the highest good for living persons. At the same time, as instrumental necessities, they may have all the authority of life and the moral nature itself. Hence the individual is justly coerced by society within its sphere. There is no help for it. We have to live together, and society enforces the conditions of living together. To this extent natural rights must be limited, and to this extent any lim-

itation is justified. If every one could have a world to himself, one might in the exercise of his liberty withdraw from society, but as it is every one is born in society—is to a very large extent the creature of society, and is rightly made responsible to society. But we shall make no progress in this matter so long as we hold the individual and society apart in unreal abstraction. If we determine the rights of the individual with reference to society, we must equally determine the rights of society with reference to the individual. The prosperity of each is bound up in the well-being of the other. To adjust the claims of each so that the best result shall be attained for both is the problem of problems in political science.

But while the social order exists only for persons, it does not exist for any one class of persons. In order to get any sufficient moral foundation for social authority, we must maintain utter impartiality of social action, neither allowing the rich to oppress the poor nor the poor to plunder the rich, but maintaining order and equal justice for and among all classes. Only on this foundation can social equilibrium be assured. In a world of conflicting interests and selfishness, men can agree only on justice. Impartiality and impersonal justice appeal to all of us, and if we cannot have our own way we prefer justice to letting others have their way. A conflict of selfish interests can never be solved on the plane of selfishness, but only on the plane of equal justice; and thus selfishness itself is made to contribute to the maintenance of an order of justice. For, as just

said, the second choice of every one, no matter how selfish, is justice and impartiality; and as we cannot agree on our first choice, our own private scheme, justice gets the majority of votes. So far as partiality exists society is an organized iniquity, an instrument of plunder and oppression. Historically, this has too often been the case. The social mechanism has been seized and worked in the interests of a few or of a class, and not in the interests of humanity. Privileged classes, monopolies, robber tariffs, class legislation illustrate. In such a state of things society is at best in unstable equilibrium.

The internal order of society admits of no apriori deduction. It unfolds only as experience reveals the necessity. Accordingly we have society in all stages of complexity, from the simple patriarchal and tribal organization to the highly complex system of modern civilization. Concerning this order ethics insists only that it shall minister to the common good in the most effective way. The actual social order in most countries has not been the outcome of purely moral and rational considerations, but a great multitude of historical influences of a much less exalted sort have entered into the result. War and conquest have left abiding marks on the social structure in many places in the shape of aristocracies, favored classes, and all sorts of caste distinctions. Such arrangements win more approval from the favored classes than from the impartial reason. In the societies also whose inner structure is most rational, there is indefinite room for improvement.

The dividing line between the independence of the individual and his subordination to society cannot be theoretically drawn except for hypothetical beings and in a hypothetical way. No formula can be devised which by simple analysis will give us the best result for real men. The solution of the problem must always be relative to the measure of social and individual development; and, moreover, it will never be found by any apriori speculation, but by a careful study of experience past and present. In this way closer and closer approximations may be made to the ideally best. Doctrinaires of course seek after a formula which will solve the problems of political philosophy once for all, but we are about through with them. Two things, formally contradictory, are to be maintained, the freedom and the subordination of the individual. The practical compromise which shall recognize and conciliate both must be found in life rather than speculation.

If we ask theoretically what society may do, the answer is that society *may* do anything which does not conflict with moral principles and the common good. Beyond all human law is the moral law and the common weal, regard for which is due from both society and individuals. These constitute the aim and the limit of all social action.

Again, if we ask theoretically what the individual may do, the answer must be much the same. The individual *may* do anything which does not conflict with good morals and the conditions of a common life. This is the limit of personal action.

Ethics can recognize no arbitrary, irrational, and immoral freedom on the part of any one. It is ethically absurd to set up a claim to a right to do wrong. It is only as the action is ethically permissible, or as our aims are normal and ethical, that the right to freedom has any sacredness. Human beings apart from the moral personality and the moral purpose have no more rights than the cattle. That one knave should cheat another, or one thief should rob another, or one assassin should slay another, would matter no more than that one viper should destroy another. In each case it would be a subject less for grief than for congratulation, especially if the result were mutual extinction. If there were any action of the individual which had no social bearing whatever, it might be a question how far he might be hindered therein, even if it were immoral; but there is no such action. No one can possibly be wicked or mischievous unto himself alone. Ethics, therefore, can make nothing of personal liberty which is found in the ways of folly and unrighteousness. On the contrary, ethics must protest against the view of liberty which would identify it with license and make it an end in itself, instead of the indispensable means for realizing moralized humanity.

Hence public and private action alike must be conditioned by a moral reference. It is, then, no longer the theoretical question what society may do, but rather the practical one, what society can wisely do. If society could effect the reform of the individual, or could secure his personal righteous-

ness, there need be no question as to its right to do it. But society cannot do everything. Some things are better done in the authoritative form of governmental action; others are better done when left to the individual and to voluntary association; and some things cannot be done by society at all. The best division of labor between individuals and society must be learned from reflection upon experience, rather than from any apriori theories of rights. The verbal formulas for solving this problem which abound are all practically barren. The sacred thing is the common good, in which of course the individual must impartially share; and whatever conflicts with this must be set aside. In any case, the best division of labor for one phase of development is not likely to be the best for another. Any great change in the social condition is likely to compel a revision of the matter, and provided the revision be impartially made, in the interests of all and not of a class, the individual will have to submit to it, just as in time of war he has to submit to martial law.

The discussion of this question has been obscured by several causes, notably by an excessive individualism and by a set of abstractions mistaken for realities. The individualism is partly a reaction against the complete subjection of the person which is a necessity of embryonic societies and a favorite with both despotic and paternal governments. It is also partly an echo of the ideas of the social contract.

This echo is perceptible in a great deal of our political philosophy. The individual is haunted by

the notion of reserved rights, and at times even dreams of seceding from the community. Under the influence of such notions some would restrict society to the performance of police duty. It may not insist upon any measure of education for the individual, or in any way interfere with the inalienable right of the individual to remain in absolute ignorance. If the state provide any education it must not go beyond the merest rudiments, and even that can be done only under protest from bachelors and other childless tax-payers. Laws against cruelty to children on the part of ignorant and brutal parents have seemed to some doctrinaires an insufferable violation of parental rights, as if parents had any rights of the kind. But this sort of thing is obsolescent and almost obsolete. The whim of the social contract did a good service against the ancient despotisms, whether of kings or classes, but at present it can only be regarded as a survival of the unfit. The social order makes the individual possible. Even the self-made man depends on society for the conditions of his creation. Natural rights, therefore, which are looking toward immorality and a shirking of those social duties upon which the common good depends, are very properly ignored by the community. Society must refuse to be bound by anything but the common weal. Whatever conflicts with this, supposed natural rights, constitutions, words and verbal exegeses of verbal formulas, must be set aside. All of these have to be interpreted, not by the dictionary nor by abstract theories, but in accordance with the present

and concrete conditions of existence. The imbecility of saving the constitution by the destruction of the nation is no longer admired.

The abstractions referred to as causing confusion have appeared especially in the field of economics. Here the moral foundation and meaning of the social structure have been largely overlooked, and a single aspect of life has been taken for the whole. The production of material wealth has been set up as the supreme aim, and an economic man with only selfish interests has been invented. This noble being, who is not without his uses as an abstraction, has next been mistaken for the real man; and a deal of profoundly inhuman and immoral speculation has resulted. "Iron laws" in abundance have been discovered, the conclusion always being that man must be sacrificed to production.

Happily we are getting beyond this to some extent, and are coming to see both its wickedness and its folly. Humanity, not material production, is the aim; and any cheapening of production secured by a cheapening of humanity is unlawful morally, and economically it defeats itself in the long run. With this insight a moralizing and humanizing of the conditions of production are slowly setting in. Society is gradually learning that it must defend itself against the ignorance and rapacity of the individual; and gradually is learning how to do it. As long as this control is exercised for the common welfare, and really furthers it, it will be justified more and more. At the same time a long experience warns us to make haste slowly. Social inter-

ests are far more complex than the doctrinaire ever suspects, and quackery here is especially dangerous. The "ideologist" is a real menace unless he have practical wisdom, or is held in check by others who have it. In particular, man himself is complex and not always adapted to the schemes provided for him. Oversight of this fact is the perennial shortcoming of social reformers. They dream a dream of what would be fine if we only had it, and think it easy to bring in the millennium by an act of the legislature. This supreme faith in the power of legislation is a fit companion-piece to the opposite view that law can do nothing.

This faith in the omnipotence of law, without regard to human nature, is the most disturbing factor in the current socialistic agitation. No one can regard the actual situation as ideal. The world is full of want and distress on the one hand, and of heartless extravagance on the other. The world-old methods of securing social reform by reforming individuals are thought all too slow. Something more direct and speedy is needed. Such contemplations have led to a widespread dissatisfaction with the structure of society itself as being too individualistic, and to a demand for its reform on a socialistic basis. Law, of course, is to be the great instrument of transformation.

Schemes of this sort have been favorites with speculative minds since the time of Plato; and in general they have had a lofty moral aim. Unfortunately they have been caricatured by bloodthirsty

and demented hangers-on, but this should not conceal the fact that socialism may have an aim essentially Christian. The police will conduct the argument with the hangers-on mentioned; the remaining argument belongs to economics and sociology. The general difficulty with socialism of the permissible type is that it pursues a laudable end by unwise or destructive methods. We have often pointed out that it is not enough to mean well. Our methods must take some account of the nature of things if we are to succeed.

The details of this discussion belong to economics, and hence we content ourselves with a few suggestions. It is needful first of all to make clear to ourselves that the inequalities and evils found in society are by no means all due to society itself. To begin with, there is an inequality of power and faculty in the constitution of man, and no legislation in the world can ever remove this and its consequences. Equality, except in the sense of one law for all and impartiality in its administration, is an idle dream. Whether it be in itself desirable is highly questionable, but in any case society can as little produce it, as it can enable a rhinoceros to sing, or legislate a cat into a lion.

A very large part of the remaining evil is to be traced to idleness, ignorance, and vice. Evil attends these as their punishment. The most beneficent feature in the moral order is that which puts a premium on prudence, skill, and character, and serves a writ of ejection on idleness, ignorance, and animalism.

In a study of the inequalities of fortune we should also need to inquire whether they spring from injustice, and especially from an unjust social order. That the riches of one should mean the poverty of another would be something to inquire into, but that one should grow rich while another remains poor is something at which only envy could take offence. A great fortune amassed through a great invention like the Bessemer process, or by any great public service like the organization of transportation, which not only leaves the community no poorer but rather greatly enriches it, is no ground for just complaint. If in addition such fortune is in the main used in productive operations whereby the community is further served, we have only cause for congratulation. Weak heads are apt to heat themselves with the fancy that the wealth of the rich is somehow taken from the poor, and that they personally have been plundered, a delusion in which they are often encouraged by our amateur reformers.

The chief place where a question of this sort can arise is in the sharing of the products resulting from the co-operation of capital and labor. But here, too, no principle has been reached which can be used for a ready solution of all problems. To say that labor is the source of all values is unfruitful in any concrete case, until we decide whose labor and what labor have produced the given product. In many cases the manual labor, which assumes to be the creative agent, is the least important factor. The most important is the organizing mind.

The inventive brain that produced the machinery is the next. That capital will take no risks without a promise of gain is evident. That a share in the profits without a share in the losses is a rather one-sided arrangement is plain on the face of it. Co-operation in production would be a handsome solution of the difficulty, but the necessary brains and character are hard to find.

Again, in such an inquiry into social evils it is not sufficient to discover evils; we must also inquire whether there be any legal or economic remedy. Multitudinous evils exist for which there is no such remedy. Laziness, shiftlessness, selfishness are very grave evils, but what can we do about it? The survival of the fittest, the appeal to conscience, and the slow formation of public opinion are our only resource. It would certainly tend to progress if our social reformers were compelled for a while to devote themselves to suggesting the legal or economic remedy for the evils with which we are all familiar. Then we should have something to talk to, and not simply talk.

And some of them have a remedy. Exasperated and demented by the difficulties of the problem, so long as the present social system exists, they have thought to find a final exorcism of all social ills in doing away with individualism altogether and putting the state in charge of both production and distribution. Anything short of this must be inefficient. Co-operation is a makeshift. Not men, but the system, is at fault. Individualism, therefore, and its implication, competition, must vanish;

and the instruments and forces of production must pass into the hands of the state.

The best thing about this view is the clear insight into the worthlessness of all the familiar socialistic cure-alls; but its holders have never thought it out, whether in its economic bearings, in its internal organization, or in its adaptation to men as we find them. If it diminished production we should have less to divide. If it rewarded all service alike it would produce heart-burnings and injustice. If it did not direct production there would be no security against wasted effort. If it did direct it we should need a very wise central authority and very submissive subjects. That we should have either is highly improbable. As to its adaptation to actual men, nothing could be more insane than the fancy that society is to be redeemed by removing the motives to individual effort which lie in private property and private ambition. It is pleasant to conceive of a society where each should exist for all, where the best should rule and the rest should serve, where the inventor should present society with the fruits of his genius, where those of feeble powers should thankfully accept the humble place assigned them by the ruling powers, and where every one should have his eye fixed on the public good. Unfortunately the men for such a scheme do not exist on this earth, and when they do the scheme will be needless. Meanwhile, we shall have to get on as we are, not only fixing our eyes on the millennium, but now and then taking some account of human nature itself. Society is not to be redeemed to

order by simply passing a law and inscribing on the public buildings liberty, equality, and fraternity, or even by appointing a holiday in honor of labor. For unluckily the ills of society, so far as these are a human product, do not spring from individualism, but from selfishness; and for this there is no legal exorcism. Not a new order of society, but a new spirit in society, must bring us relief. Of course this does not apply to cases where the social order is unjust, as where a caste system prevails, or privileged classes exist, or class legislation fetters the individual. In such cases social changes are imperatively demanded. But we are writing for our own latitude.

Many of our troubles are beyond human skill. Even of those which are amenable to treatment the cure must necessarily be slow. In the mean time much relief will be found in less showy ways. Prudence, thrift, industry, and the ascendancy of the man over the animal are always safe. It will help, too, if we cultivate the sense of justice and a regard for others' rights. The poor need to do this quite as much as the rich. Witness the tyranny and inhumanity of labor unions toward non-unionists. We need also to cultivate respect for essential humanity, both in ourselves and in others; and here, too, the poor are quite as lacking as the rich. Men do not respect themselves, but their accidents of fortune and dress. A large part of the heart-burnings and envy which curse us would vanish if men would only learn self-respect. If these suggestions were put into practice the necessary

improvements in the social order could be easily made; and until they are put into practice it is doubtful if there is any balm for the hurt of the people in the socialistic Gilead.

This, however, does not mean that legislation cannot do anything, or that society is in no way responsible for social evils. Legislation can do a great deal in the way of protecting public interests from private rapacity. There is room for great improvement in this respect. It can also do much by establishing a lower limit to competition, so that it shall not result in the destruction of women and children and in the abominations of the sweater's den. Society must maintain the rights of all, and an impartial administration of law and penalty. Class legislation must be avoided, no matter what the class, and justice put within the easy reach of all. That rich iniquity should defeat injured poverty by availing itself of the law's delay is a crying abomination. The proposal that justice should be made free in civil as well as in criminal cases deserves consideration. Society must also be held responsible for mischiefs resulting from its own structure, or from the mistakes of its servants. There can be no greater outrage than that an innocent person who has been mistakenly harassed or condemned should be turned off without signal compensation. There is great and crying need of improvement in these respects. Society also must look after the poor and the sick who are not otherwise cared for. It must do this also in a more humane fashion than has been the rule. Inhumanity and brutal-

ity on the part of poorhouse and hospital officials ought to be visited with severe punishment.

But society cannot afford to do anything which will relieve the healthy individual from the necessity of working out his own salvation. In helping him the work of society must be indirect, and must consist chiefly in maintaining a public order of advantages in which he may share. Free schools, public libraries, museums, general supervision of the public health, and maintenance of the equal legal rights of all are illustrations. Governmental action must be confined within these limits, at least while the conditions of existence remain approximately what they are. If these should greatly change, the range of governmental control would change also. On shipboard the liberty of the individual is necessarily restricted by the community of interest and the exceeding risk from lawlessness. If society should ever reach the Malthusian horror we should have something of the same kind. But we have not reached it yet; and for the present, governmental action should be confined within the limits mentioned. For the multitudinous evils which lie beyond these limits there is no legal remedy. Without doubt the possession of power, talents, riches imposes obligation; but there is no jural way of reaching those who do not feel it. The slow formation of conscience, of humanity, and of public opinion must be our chief reliance.

It was very natural that society should try to legislate for religion. The conviction that the

highest interests both of the individual and of society centre here would necessarily lead, in advance of experience, to making religion the supreme care of the state. To secure a general recognition of religion, to rescue its truths from the ignorance of individual conceit, to maintain order and decency in religious observance, no way seems more promising than a supervision of religion by the state. And without doubt there would be very little room for question if society were certainly in possession of the truth, and if individuals were freed from conceit, ignorance, and wilfulness. The right is not so clear when the state religion is a superstition, or an abomination. And even among ourselves experience has demonstrated the futility of state religion. The abstract ideal which seems so fair in theory works tyranny and irreligion in practice. The best results are reached by leaving men free to think for themselves in matters of religion, so long as they refrain from lawless and harmful conduct. This is the limit to freedom of conscience.

This conclusion will never please a certain type of ecclesiastic, and a certain species of religious fanatic. The members, and especially the officers, of a state church can never look upon disestablishment as anything but a supreme triumph of the Adversary, the very hour and power of darkness. The fanatic will look upon the secularizing of the state as an act of disloyalty to God which cannot fail to be visited with some signal punishment. The limitations of his intellect prevent his seeing that it is not a question of disloyalty to religion on

the part of human beings, the only realities in the case, but only a limitation of their governmental activity to non-religious interests. If it meant in addition that the government is to ignore or violate the religious convictions of the community, it would be another matter. Some verbal exegetes have affected to find this result in the separation of church and state; but the fact is that in this, as in other matters, we must determine what we mean less by words than by deeds. By such verbal exegesis the claim that it is better to obey God than man may be tortured into potential treason; and, on the other hand, the civil supremacy of the state may be made to mean the right to confiscate ecclesiastical property and forbid religious worship. But this is hysteria, when not hypocrisy. Practical formulas are not to be construed by the dictionary but by the purpose of the formulators. While we do not suffer the government to become sectarian, we are a religious people, and whoever wishes to live with us will have to put up with that fact as long as it remains the fact. But the fancy that God is such a stickler for etiquette that he will take offence if his name is not inscribed on public buildings or in the Constitution, is worthy only of a savage. Finally, if one can persuade himself that certain external rites and verbal assents are the absolute conditions of salvation, he must argue for enforcing religion by whatever means; but this notion deserves a place with the other.

If all legislation were a manifest implication of

moral principles there would be no distinction between moral and positive law, and there would be no question of our duty always to obey the law. But the bulk of legislation involves no moral principle, but only a practical judgment of expediency, and one which is often unwise. Hence there will always be a neutral field between the individual and society, where the sense of obligation will be a variable quantity. In general a law-abiding disposition is a social duty of the highest obligation, but we cannot demand that wicked laws shall be obeyed, and we cannot expect that men will feel the same obligation to obey all laws, irrespective of their wisdom or unwisdom. Indeed, unwise laws will always be evaded if possible. Tariff laws will not always command the conscience and the judgment. Here is another broad field where no formal principle can be laid down which will solve all problems. It is manifest, simply as a matter of policy, that the laws should be as wise and righteous as possible; as only on this condition can they long secure obedience. Beyond the point where they command the judgment and the conscience, they can be enforced only by power. This state of things, if wide-spread and long-continued, must lead to general law-breaking, if not to revolution.

What has just been said refers to individuals over against society. A further question arises concerning the relation of social officers to society. Are they permitted to have a conscience and mind of their own, or are they mere instruments for executing the laws? This, too, is a point which admits

of no hard and fast decision. The duty of the public servant is manifest within the moral limit, but that limit cannot always be drawn. It is plain that it would be absurd and dangerous to allow a state officer to revise the laws he has to administer. But on the other hand it is equally plain that being a public servant does not extinguish the moral personality and its relation to the moral law. Despotic governments naturally take a very rigid view of the obligation of their officers, especially of the army. An army that thinks and has a conscience is mighty in a righteous cause, but is a very uncertain reliance in a campaign against the rights of the people. Here the prescription is the same as in the previous case. The social action must be based on justice if we are to demand unconditional obedience. But when the individual opposes his conscience to his official duty he must be prepared to take the consequences. He can hardly expect to free himself from obligation by the easy method of expressing a conscientious scruple.

The punitive action of society is a practical question of great complexity, and its theoretical basis is by no means clearly conceived. The views concerning wrong-doing oscillate between crime and disease, and those concerning its treatment vary from expiation to hygiene and medicine. We assume in common with all mankind that there is such a thing as crime, and inquire into the nature and ground of its punishment.

Two points of view are to be distinguished, which,

however, are commonly confounded. One is the standpoint of abstract desert as we may conceive it to exist for God in his dealings with men. The other is the standpoint of our human relations. Many things are true for the former which are not true for the latter. If we should satisfy ourselves that a given person deserved punishment, that fact alone would not justify us in assuming to inflict it. It is not plain that we are constituted the guardians of the moral law to the extent of meting out its penalties. It was oversight of this distinction which led to Kant's famous claim that if a given society were about to dissolve, the criminals who might be awaiting their punishment should receive it in full, in order that the society should be in no arrears with the moral law. This view, which has something bracing in it, plainly rests on the assumption that the vindication of the moral law is a function of society.

From the abstract moral standpoint the fundamental idea of punishment is retribution on the part of the punisher, and expiation on the part of the punished. The evil will deserves to come to grief, and that too without any reference to its reform. If the evil visited upon it secures its reformation, that is so much clear gain; but in any case it must go ill with the wicked. If we conceive a moral being founding a system in which the good will and the evil will shall be possible, we demand that he shall make the system such that the good will shall be furthered and favored and the evil will shall be thwarted and punished. In a moral system

it is impossible that the two should be regarded and treated alike. And as a matter of fact we find the laws of the system, physical and spiritual alike, combining to make the way of the transgressor hard. It is a very interesting type of mind which sees in these results consequences only and not punishment, or which forgets to inquire how they came to be consequences.

But however clear the principle of retribution may be in abstract theory, it is of little use in forming a theory of social punitive action. We are entirely unable to judge how much evil a given crime demands for its expiation, and we are equally unable to estimate the proper responsibility of any one. Besides, as already suggested, it is not clear that either the individual or society is called upon to vindicate the moral law in general by securing the expiation of all transgressions. That certainly is neither in our province nor in our power. The only misdeeds we are called upon to punish are those which have a social bearing, and here too the principle of expiation is not a serviceable guide. With this principle the determination of the kind and measure of punishment would be arbitrary, unless we adopted the *lex talionis;* and this in many cases would be as infamous as the crime itself. It would do very well in case of crime against property, if the offender had any property. But this is so often not the case that some other way must be found or invented.

On the other hand, no theory of punishment is manageable which does not rest on the ill desert of

the evil will. The several ends proposed for punishment all become intolerable without this reference. Thus, it is said, the aim of punishment is to secure society, to reform the criminal, to deter potential criminals, etc. But suppose it were proposed to secure society, or deter from crime, by punishing an innocent person? Such a case has even occurred; and a distinguished ecclesiastic gave it as his opinion that it was expedient that even an innocent man should die for the people. In rude or inflammable societies such cases might often occur. A mob in eastern Europe might be persuaded, say, that a Jew had slaughtered a Christian child as a sacrifice. The authorities might be perfectly sure of the man's innocence, and yet proceed to punish him because of the mob's clamor and the danger of an outbreak.

These considerations serve to show that public security alone is no just ground for punishment. The only persons who may justly be punished, even to edification, are those whose punishment is deserved apart from its edifying aspects. Neither is it permitted to punish one for his improvement. Every one needs improvement; but that does not constitute an obligation to submit to the pedagogical experiments of others, nor a right on their part to undertake a course of moral hygiene on his behalf. No punishment, then, can be justified unless it be essentially just. If society defends itself the defence must be just.

The root idea of punishment, then, is retribution; and any attempt to escape it only the more certainly

brings us back to it. It is only, however, as a presupposition of all theory that we can avail ourselves of this idea. In practice the punitive action of society is better understood on the following basis. Both the individual and society have a right to self-defence. This right has all the sacredness of the moral personality in both cases. There can be no moral life without the security of the individual, and this in turn demands the security of the social order and of personal rights. Hence society may constrain the individual to do what that order demands, and it may also repress the individual in any activity which threatens that order or which infringes upon another's rights. This repression must largely take the form of penalty. The person who will not regard the rights of others must be coerced and fettered in the measure of his attack upon others. It is just that society should so deal with him that he shall be prevented from doing mischief, and that others shall not be tempted by his example to do likewise. Whatever is necessary to guard society against the criminal, and to make the criminal industry unprofitable, society may justly do. Whatever lies beyond this, in the way of absolute expiation and punishment, belongs not to man but to God.

We relinquish, then, all responsibility as vindicators of absolute justice and morality, and confine ourselves to defending personal rights and social order, and to making the criminal industry unprofitable. This gives us an intelligible standard for criminal procedure, and one which can be applied

not merely by those who view the criminal as guilty, but also by those who regard him as diseased. The latter view leaves it quite undecided what form the hygienic treatment is to take, and what prophylactic measures are to be adopted. It is entirely possible, therefore, for the two schools to agree in practical measures; only what one school would call penalty the other would call medicine. If, then, a lesser penalty, or dose, will serve for restraint and protection, a greater may not be imposed or administered. If a growing humanization and amelioration of life make men more amenable to restraining influences, the penalties may be lightened. If the penalty of death is the only efficient restraint of homicide it is justified, otherwise not. As to the abstract right of the death penalty, we take it on our conscience. We are not concerned to save the lives of assassins if thereby the lives of honest men are directly or indirectly imperilled. Penalties, moreover, should always be of a kind which can be inflicted without dehumanizing the inflicter. Certain things are also due to the humanity in the criminal. Cruelties of all kinds, and a style of confinement which must result in idiocy or insanity, are diabolisms quite infernal. The way of the transgressor ought to be hard, but this does not imply that society is to outdo the criminal himself in savageness and brutality.

The form and measure of punishment must always have in human hands a somewhat arbitrary character. In their determination regard should be had to the character and circumstances of the

criminal, so far as it does not interfere with the aim of the law. Here is the place for considering extenuating circumstances, and also the improvement of the criminal. For those whose crimes result largely from a weak and untaught will very much can be done by a wise selection of the form of punishment. And in all cases the law and justice must punish. Contact with the impersonal operation of a just law will carry the criminal's conscience with it, or will tend to awaken conscience if it be asleep. But subjection to the brutal violence and passion of an overseer can only call forth an answering diabolism. That form of punishment is forever unjust which necessarily leaves its subject morally worse than ever.

These are the aims and principles to be regarded in penal law. To specify them into codes demands a profound study of human nature and an extended experience. Unfortunately, the aims themselves have been very scantily recognized hitherto. The actual history of penology is an almost unrelieved horror. It is doubtful if it does not outdo in inhumanity even the annals of crime itself.

Yet in our reaction against these barbarities we must guard against falling into the other extreme. Social interests and those of the law-abiding citizen are first. When these are secured the amelioration of the criminal may be considered; but that is a very wearisome type of philanthropy which is all bowels for the criminal and none for the honest man. We must be on our guard against the snivelling of the sentimentalist and the scruples of the

closet moralist. Contact with the real criminal will commonly help us against the former. For the latter, we must remember that there are few practical questions which might not be reasoned about forever. At last we have to make up our minds and carry our decision through. The same possibility of eternal talk meets us here. We may raise scruples about the right of this and the justice of that, world without end. At last we settle the matter by making up our minds and *taking* the right in question. To do nothing for fear of doing wrong is not the highest type of morality.

Most of the crimes in society are against individuals, but society assumes the right to punish. The transference of the punishing function to society has proceeded with the growth of civilization. In rude and primitive societies we find this function largely exercised by individuals. And if the injured person could punish with certainty and without passion, the work might well be left to him. As the reward of a good deed belongs pre-eminently to the benefited, so the reward of an evil deed belongs pre-eminently to the one injured. Accordingly society takes no notice of a wrong in the great majority of cases, unless the person wronged makes a complaint. Thus his right to forgive is recognized, and also the fact that punishment must begin from him. When society does not allow the matter thus to rest, it is because the deed is held to be not merely an infringement of personal rights, but also an attack on the well-being of the community.

Society, however, has generally assumed the

right to inflict punishment, leaving to the individual only the right of self-defence. There are manifold reasons for this. Only thus can punishment be assured. Only thus can the disturbing influence of passion and self-interest be eliminated. Only thus can the punishment be freed from the aspect of private revenge and reduced to impersonal justice. Only thus, again, can any due measure be introduced into it, and allowance made for extenuating circumstances. Only thus, finally, as we know from history, can society be freed from unending and bloody feuds. Punishment by society, therefore, has the advantage of power, impersonality, and passionless justice. When, however, society fails to protect the individual, or to fulfil its proper function, or when society is not yet organized, as in frontier districts, then everything goes back to first principles and the individual must look out for himself. Then the vigilance committee is called for, and self-defence is permitted to forestall the attack. Such action may be against statute law, but it is in full accord with the law behind the statutes.

As to what crimes shall be held amenable to society, the most diverse opinions have been held. Some would make society the supreme censor of morals and religion, both public and private. This view, as already pointed out, is the most natural; and indeed any definition of the function of society can easily be made to include it. If we say that society is set to secure the common good, it is plain that morals and religion are very important factors

of that good. If we say only that society is set to defend the community, it is plain that immorality and irreligion are its worst enemy and the most prolific source of mischief. Freedom of thought, of course, cannot be interfered with, because there is no way of preventing it. But freedom to express, to publish, and act out one's thought is quite a different thing. Repression of free speech and publication by a despot is most dangerous, but mainly because of his own wicked aims. Repression by a wise and impartial power in the interest of the common good is not so certainly bad, except to those who experience it. It becomes less and less necessary, however, as men develop into rational beings; for then the foolish or wicked utterance falls harmless into contempt.

If we decide to punish only those infractions of the moral law which are prejudicial to the public welfare or trespass on the rights of others, we still have a very uncertain guide; for there is very little immorality which is not a public loss and a trespass on others' rights. A man's most personal vices may be a robbery of his family. Not speculation, but experience, must decide in this matter. The inner life is beyond our scrutiny. Many violations of rights cannot be made the subject of judicial inquiry without intolerable scandal. Finally, there is a host of minor trespasses which are overlooked on the principle that the law does not concern itself about small matters. Such things have to be left to the conscience and wisdom, or unwisdom, of individuals, and to the control of public opinion.

If society were a reality distinct from its members, or if its controlling power were delegated from without, the theory of government would be immensely simplified. The latter notion has been largely held under the form of the divine right of kings. A good many royal personages at one time and another have managed to persuade themselves that they held a commission from God to rule their respective realms. Deriving their authority from this high source, they could not fail to regard as a great heresy the claim that the people are the source of power, or that governments derive their just power from the consent of the governed. Their inability, however, to show their commission, together with the progress of political philosophy, has rendered this notion practically obsolete. So far as it had any thought in it, it resulted from confounding the general supremacy of society over its members with the absolute authority of some particular ruler. The political revolutions in England and France did much toward shaking these two notions asunder.

The statement often made in this connection, that power is not from the people but from God, is of no use in political philosophy. If some one could show an authentic commission from God to govern the world, something might be said for his supremacy. But in default of such showing, the claim that power is from God can only mean that the control of society over the individual which is necessary for the realization of humanity is in accordance with the divine will. It is also worth some-

thing as emphasizing the moral basis of all authority. Mere will, whether of the majority or of the entire people, can found no rightful authority unless that will be in harmony with righteousness. For the rest, the claim leaves us quite in the dark as to the proximate source and seat of authority in society.

On the other hand, we are not entirely out of the woods when we say that the people are the source of power, and that governments derive their just powers from the consent of the governed. This would be true for a world where all were alike wise and good, but it is a little obscure and even doubtful when applied to our human life. As a matter of fact, political power, even among ourselves, is in the hands of a very small minority of the people. The exclusion of women and minors alone reduces the ruling body to a small fraction of the whole. Moreover, we never think of asking the minority to consent to be governed; we govern whether they consent or not. This brings us to consider the political rights of the individual, or his right to have a voice in the government of society.

The ideal is equality of political rights, and in default of reasonable and just limitation this should be the rule. In a community of angels, or of any hypothetical beings endowed with equal capacity and loyalty, this rule would be self-evidently just. The physical impossibility of having all the citizens share directly in the legislative and other functions of the government would be overcome without impairing political equality by a system of representa-

tive government, and by appointing special officers for the work of administration. In such a division of labor the government, its forms, its measures, and its officials would all ultimately depend on the will of the people; and the officials would be responsible to the people. But in the case of human society the problem is far from being so simple. There are manifold distinctions of age, sex, and condition, physical, mental, and moral; and these necessarily affect the political rights of the person. It would be quite absurd to make politically equal the knavish and honest, the foolish and wise, the infantile and mature. What effect, then, should these differences have upon the political rights of the individual?

With regard to infancy there has never been any doubt. Minors are universally recognized as having no political rights because of immature knowledge and judgment. They have a right to be rightly governed and to be defended in their personal interests as human beings; but they have no right to govern. And, inasmuch as it would be impossible to make a special examination as to fitness in every case, society has to fix the limits of minority by some one standard which can be easily applied to all. This limit of course can never be more than a general average. In many cases it will be too high, and in quite as many others too low.

Again, as society is a moral institution for the defence and furtherance of humanity, only those should be allowed to participate whose character is

in harmony with these fundamental social aims. Persons who are in rebellion against society, or who are seeking to use social forms to further schemes of iniquity, or who avail themselves of their political rights to disturb and menace the social system, thereby lose all right to share in social guidance. In general, however, society is not in a position to judge of the moral character or secret aims of the person; and this principle can be applied only when the individual manifests his lawless and mischievous disposition in certain forms of crime. It is for society to determine what deeds shall forfeit political rights.

A low grade of intelligence, also, justly excludes from political rights. Such persons are only disturbing factors in society, and when numerous they constitute a grave social menace. Their ignorance leaves them an easy prey to passion, and hence an easy prey to the demagogue. When the blind leads the blind they are sure to end in the ditch; but when the devil leads them the disaster is intensified, and commonly involves the bystanders also.

Where the limits of disqualifying ignorance shall be set admits of no theoretical decision, or at least of none that can be practically applied. Since the time of Socrates it has been urged that it is highly ridiculous to give the vote of a peasant as much weight as that of a philosopher. Abstractly it is ridiculous, but practically the objection overlooks some obvious facts. Voting is by no means the only mode of influence. Again, history shows that the peasant with plain sense and conscience is as

trustworthy as the philosopher. An aristocracy is, etymologically, the government of the best; but practically it has never been the best government for the people. Historically, distinctions of intelligence, beyond those of plain common sense, have wrought more harm than good. There is a manifest tendency in all culture which takes the form of æsthetic refinement to draw away from the people and even to despise them. Indeed, unless this tendency is balanced by uncommon mental force and by a wise and intense enthusiasm for humanity, it is by no means difficult to acquiesce in the notion of a great European statesman, that the ideal order of society is a substratum of laborers and a superstructure of refinement and elegance, with an impassable gulf between. The next step of course is to see that education is a very doubtful good for the laboring classes, that it makes them dissatisfied, moody, and recalcitrant, and should be withheld. We often hear among ourselves that education is spoiling the "niggers;" that is, of course, it is spoiling them as "niggers," by awakening a desire to be men. There is far less risk to humanity in simple manhood suffrage than in the admission of class distinctions in the distribution of power. The ease with which wealth and power sink into selfish blindness to the wants and rights of the weak and poor is quite as ominous for the public weal as the possible excesses of democracy. Indeed, we might even question whether, if exclusion is to be made, it should not be the class which, calling itself "society," assumes to be the especial seat of culture and

refinement. For often enough this class is one in principle with the lowest animal class. It is an animal life in both cases, differing only in the form and the *menu*. No other class is so indifferent to its political duties or makes a boast of despising them. No other class is so lacking in the enthusiasm of humanity; and so far as it has any significance for humanity, it is, to use Matthew Arnold's formula, a materializing, vulgarizing, and brutalizing one.

The proposition to give special political rights to property has not justified itself in practice. Nothing is so well able as capital to take care of itself in anything but a state of anarchic chaos. Throughout the past it has incessantly wrested legislation to its own ends, and its usurpations still constitute a special menace to the community.

Minority, imbecility, and criminality justly exclude from political rights. Whether being a woman likewise constitutes a disqualification is a warmly debated question. The almost universal affirmative of history is to be historically understood. It is not an outcome of reasons, but a product of causes. The arguments in favor of the disqualification are either forms of words only, or they tell against suffrage in general rather than against woman suffrage. Of course the sexes have different functions to perform in life, but apart from these there is a large field common to men and women where they appear simply as moral persons, and where their rights are equal, just as men with all their differences of ability, occupation, social

standing, etc., meet on a common plane of legal rights. The wise remark often made, that women are to be the mothers of the race, seems to be no more decisive as to political rights than the equally profound observation that men are to be the fathers of the race. Both propositions are true, but unfruitful. Over and above being fathers and mothers, men and women are moral persons and members of a community whose interests are committed to them. To maintain the political disqualification of women it will have to be shown either that women are not moral persons at all, or that they are mentally and morally so weak as to be a menace to society if entrusted with any voice in the government. This would be to the point. The traditional utterances on this matter are striking illustrations of the fact that anything whatever that looks like argument will pass for a valid reason in support of a foregone conclusion.

Bearing in mind that the right to vote means simply the right to express an opinion concerning social arrangements and to have it count in their determination, there is no need to consider the alleged risk of being defiled thereby. The fancy that in some way women would be degraded by an interest in the laws and a share in making them, should be carefully preserved in an anthology of human whimsies. Rationally it is quite on a level with many Oriental notions of female propriety, which also have the support of "strong instinctive revulsions," but which unhappily make a poor show in reasoning. But time and growth put an end to

such notions. The whim that it is excessively droll or shocking that women should go to college and have political rights, is fast becoming the property of persons of slender mental gifts and of some scattering ecclesiastics. Of course woman suffrage, like popular suffrage, has fearsome logical possibilities in it; but so long as a community remains sane they will not be realized in either case. If a community ever became insane, no theory of government would amount to much. Pending this disaster, we see only injustice in withholding political rights on the sole ground of sex. Any body of men subject to the same conditions as women would view itself as tyrannously oppressed. The legal distinctions between men and men have vanished. The legal distinctions between men and women must vanish also.

But may a woman hold office? Certainly, if duly elected. The right to hold office, at least in our country, means only eligibility. It becomes concrete and actual only when one is elected to some office by a majority of the voters.

These considerations concerning political rights express the ideal to be aimed at, but one by no means generally reached. The actual social order differs greatly in different places, and has had a highly complex origin, apart from which it cannot be understood. In the application of this ideal, however, due regard must always be paid to the existing situation. The fundamental right of all is to be well governed; and the fundamental duty of gov-

ernment is to secure the common good, so far as that comes within its province. The sharing in government, apart from its bearing on good government, is a matter of subordinate interest. If a thoroughly just, wise, and beneficent government could be assured in perpetuity we would willingly forego our political rights, particularly as the happiness or misery of life is mainly independent of government. Government should always be *for* the people, but government *by* the people depends for its wisdom altogether upon the people's development. Hence the granting and extension of political rights are to be determined in practice not simply by an apriori doctrine of rights, but also by their practical expediency. If we ask who is to determine the expediency, the answer must be, those actually in possession of political power. They are responsible not to individual arbitrariness, but to the common good. If they cannot grant the extension demanded at any time, the first thing to do is to discuss, in the hope of finding some common ground with the petitioners. If they still fail to agree, there is no appeal but to force. But except under compulsion it is not permitted for those in possession of the government to extend political rights beyond the limits of public safety. Hence, after setting up equality of political rights as the ideal social order, we must observe that it is ideal only on the supposition of ideal men. The practical question of how far this ideal can be united with the common weal in the actual state of affairs remains entirely untouched. This question admits

of no theoretical solution, but only of approximation in practice. Actual political equality is admissible only where there is a certain homogeneity of development and national spirit. For instance, it would be bottomless folly to admit the population of India to an equality of political rights with the people of England. As in the field of general ethics we have had a great deal of abstract ethics valid only for hypothetical beings, so in this field we have had much abstract political philosophy which is applicable only to hypothetical beings; and it has always been easy to show that this philosophy consists of glittering generalities which can never be realized in practice. On the other hand, the defenders of the actual order have failed to see that these glittering generalities do, after all, represent an ideal by which the actual must be judged. If the "ideologist" must be balanced by the historian and the practical statesman, they, in their turn, make sorry work of it without the "ideologist."

Society, as a moral institution, is never permitted to violate the moral law. Hence things which in themselves are immoral can never be permitted or licensed by society. The right to remit sins, as well as the right to commit sins, does not belong to any community any more than to any individual. Hence a proposition to license prostitution, or by a system of examination and certification to make it hygienically safe, is as unpermissible as a license for theft or assassination. The claim that the evil will exist, and should therefore be regulated, counts

as little in one case as in the other. Against all things essentially wrong society must set its face, and must never compromise its own moral nature by any system of license.

The question of licensing the liquor traffic will or will not seem to be settled by the previous considerations, according as we view the use of spirituous liquors as essentially wrong or as being permissible within certain limits. Those who take the former view will of course regard license as a crime. Others will view the traffic as not necessarily immoral, but as fraught with danger and hence as needing to be brought under governmental control, with the aim of diminishing the social risk as much as possible. For all who hold this view the question of license is not immediately a moral one, but rather the practical one of the best method of dealing with a source of danger; and if they find that license is practically more effective than prohibition they will not be dismayed at the charge of being in a league with death or a covenant with hell. If, on the other hand, they find prohibition to be more effective, they will adopt that. For all such persons the question is one of fact, to be settled by evidence and not by ignorant conscientiousness. In any case, when we cannot do the ideally best it is the part of practical wisdom to do the best we can.

If we ask who is responsible for the sins of society the answer must be, All those who help to commit them or, having power, acquiesce in them. Here is a point on which there is practically no moral conviction in the community. The soullessness of

corporations is reproduced in a larger scale in the soullessness of society, and in both cases the individual shelters himself behind the many. We cannot hope for much progress in public righteousness until this delusion is swept away.

Particular forms of legislation also commonly involve no moral question, but only a practical judgment as to what will best further social interests. Such questions are often of the most complicated sort, and commonly no irrelevance can be greater than an appeal to the moral law for their solution. The matter of taxation may serve as an illustration. In practice a compromise has to be made between apriori ideas of justice or equality and the actual difficulties of the problem. The form of taxation which is theoretically perfect may be practically inadmissible because of its unproductiveness, or because of the opposition it arouses, owing to its inquisitorial character or some other obnoxious feature. In general, complaints against any legislation demanded by public interests must be set aside until a more excellent way is shown. Living in society has its disadvantages as well as its advantages. We may even say that it involves frequent injustice, for what could be more unjust than the law of social solidarity whereby the innocent suffer with the guilty and the idle share in the rewards of diligence? But there is no help for it. We have got beyond the social contract. Society, like all other human institutions and like humanity itself, is imperfect; but it may enforce its authority

even in its imperfection. Anarchy is not desirable even in the name of conscience.

After having decided that the common good as conditioned by moral principles must be the aim of social action, the practical question of the best mode of realizing that good remains entirely open. This inquiry belongs to political philosophy rather than to ethics. Ethics of course must emphasize the moral spirit and ideas which should underlie social development, but it cannot dictate its forms. To begin with, the best form of government is an open question and admits of no theoretical determination. The easy consideration that one form may be better for one stage of progress than for another does not furnish all the light that could be desired. Nor are we helped any by comparing the abstract ideas of monarchy and democracy. Democratic rule will be very bad if the people are very bad. But despotic rule will also be very bad if the despot is very bad. Election by the people is not an infallible method of securing capable rulers, but hereditary descent, especially when complicated with ancestral vice, is quite as open to objection. If a strong and just government could be imposed from without by a power of superior strength and wisdom it would often be an invaluable boon to an undeveloped people, but when a people is developing from within itself we have to compare its actual government not with a government of another type elsewhere existing, but with such other types as are possible to itself. For peoples which have reached some

measure of development in civilization, the condition of supreme importance is that the government shall be sufficiently flexible to respond readily to changed conditions of society and to new needs as they arise. When the government is responsible to the people to this extent, the question of its external form has only a subordinate interest.

How to escape both anarchy and despotism; how to combine strong central government with local self-government; how to organize the government so as to secure the highest efficiency; how to unite social stability and social progress; how to defend the people against the government itself by fixing limits which it may not pass, or by removing certain subjects from its control—these are the questions at which political philosophy still labors. A very slight acquaintance with history reveals their profound significance for human progress. The only thing more significant is the moral spirit itself, which should flow through legal and political forms as their life and support. When this is lacking it matters little what else we have, for "What can laws do without morals?"

What has been said thus far concerns only the relation of existing individuals to an existing social order. But as human beings are perpetually coming and going, the actual members of society are changing all the while. This gives rise to a new set of questions. We are continuators of a past and the antecedents of a future. Thus we are brought to consider our duties to the past and to the future.

On this point only the most general considerations are possible. How far we are to regard the will of the past is a matter partly of sentiment, which must be limited by considerations of the present good. No man or generation has wisdom enough to be permitted to bind the future, except to a very slight extent. We can only trust that others will come after us as wise and devoted as we, and that they will continue whatever of good may be found in our work.

Our responsibility for the debts of the past and our right to saddle the future with debts are points of some obscurity. It is plain, however, that no debts may be justly contracted in the name of the future, except for interests of manifest public importance. When this rule is duly regarded the future may rightly be called to assist in paying for the goods which have been transmitted to it. But here also no absolute rule can be reached. We cannot deny a solidarity of interest between the past and future without destroying all continuity of life and history. But on the other hand we cannot allow any generation an unlimited right to mortgage the future. The moral question here is fairly complex. The matter is commonly made worse by an access of high morality on the part of the creditor and an equally questionable lack of all morality on the part of the debtor, leaving one quite at a loss to choose between Shylock and the thief.

The ethics of the particular state or nation calls for only a short notice. As something distinct from

the ethics of society it arises from the fact that there is no one society comprehending all human beings, but men are scattered in different national groups. So far as these are related to their own subjects, their ethics is the same as that of society. But as distinct from one another they enter into mutual relations, and a rule of conduct is made necessary. This is the field of international law.

Of the conditions of nationality we have no call to speak. The importance of nationality, however, deserves to be emphasized. A mistaken cosmopolitanism and philanthropy are sometimes inclined to do away with the nation in the interest of a federation of mankind. The only good in this is the aim to do away with the hostility which has so generally existed between different nations. For the rest, it does not tend to profit. Patriotism which looks upon other nations as enemies, or as lawful spoil, is of course to be condemned; but we cannot well have too much of patriotism which seeks by all honorable methods to lift one's own country to the highest development and power. And it is by such friendly rivalry, far more than by any universal philanthropy, that human progress is to be secured. A proposition to do away with family affection in the name of a love for the race would hardly be less promising in the present stage of human development.

We have seen that individual ethics may be very clear when abstractly considered, and very difficult in the concrete application. The same is true of national and international ethics. The the-

ory is easier than the application. When we are dealing with the abstract notion of nationality and of the relations of states the matter is fairly simple, but when we pass to the relations of actual states the questions are far more complex. Again, if all states were on the same plane of development and civilization it would be relatively easy to determine their mutual duties, but in fact we have social organizations varying all the way from the patriarchal and tribal condition up to the modern civilized state. Many of these are properly not states, for until there is a certain amount of social organization and centralization of government, there is nothing which deserves to be called a state. Some of these also are embodiments of humane and moral ideas, and others, like the kingdoms of Ashantee and Dahomey, are the enemies of their own subjects. It would be absurd to accord to the latter such rights as belong to the former. Moreover, in spite of the luminous declaration that the state is a moral person, the moral relations of persons are by no means identical with those of states. A regard for humanity might often lead to a disregard of an existing governmental relation. The tribal relations of our Indians and a multitude of governments in Asia and Africa might be broken up and annihilated to the great advantage of the persons and communities concerned.

With the understanding, then, that we are liable to stumble on a contradiction at any moment, we might say something as follows: A nation's first obligation is to itself and its own subjects. This is

true not only in the matter of defence and protection, but also in industrial relations. Where this obligation ends and unallowable selfishness begins it is hard to say. Again, if a nation, like our own, be conscious of having a great work to perform in the progress of humanity, it is forbidden to do or allow anything which will hinder that work. By consequence, it may not admit aliens and other elements which are indifferent or hostile to the national aims and spirit to a share in power, and only to a limited extent to a habitation. No body of persons not homogeneous in spirit and loyalty can long be tolerated in the midst of a nation. Unless some *modus vivendi* be discovered, exclusion or banishment, or some form of special subjection, is the only resource when the alien body becomes numerous. In one shape or another, Deborah's curse of Meroz is sure to be pronounced on those who will not come up to the help of the nation. Remembering, however, the ease with which class and racial hatred is stirred up, this charge of indifference to the national life and aims should never be entertained without the fullest proof. In general, the mere fact of living together in peace will commonly serve to generate enough of national spirit.

But these considerations are indisputably valid only when the national life and aims are themselves justified. We might be willing that China should proclaim that China is for the Chinese, but we should not be willing to have the Chinese Christians butchered or banished on the ground of being an alien and heterogeneous element in the empire.

We might not be able to tell very clearly on what principle of international law we proceeded, but we should proceed nevertheless. The real principle would be that the rights of humanity are above all rights of nationality. The latter are subordinate to the former, and on occasion may be decisively set aside. Any nationality or national principle that stands in the way of human progress has become an obstacle to be modified or removed.

The intercourse of the higher nations with the lower should be regulated by this regard for the rights of humanity rather than for the rights of nationality. To exploit a barbarous people for our own selfish interests is infamy. To force upon them, or even to furnish them with, the means of vice is diabolism. To interfere with them in any way except for self-defence, unless we are sure of bettering their condition, is unwarrantable. But to accord them national rights to any great extent is impossible. In the march of human progress they must be transformed or perish.

Life as a whole, we have said, is not largely controlled by moral ideas. This is pre-eminently the case with international relations. If there were a large development of humanity, unselfishness, and good will, these questions might be peacefully solved; but it is utopian to hope for such a result in the near future. Selfishness, passion, and wrath will be let loose, and all we can hope is that a higher power will restrain or use them for their mutual destruction, as when one viper kills another. As of old, it must needs be that offences come, but, also

as of old, woe unto them by whom the offence cometh. This woe is especially to be borne in mind, as writers on the philosophy of history are prone to overlook it and to pardon any historical infamy whatever which happens to fit into their scheme of progress.

In the development of humanity wars have often been necessary. Wars of self-defence have been waged by the civilized nations against the barbarous hordes, and it is only a short time since the barbarous and uncivilized races were so definitely put under foot as to be no longer a source of danger. Modern science in its military applications has finally rescued civilization from danger at the hands of outside barbarians. Other wars have arisen in the way of securing the rights of humanity and the industrial development demanded by civilization. Both of these types of war have been historically necessary and beneficent, and both are morally justifiable. The professional philanthropist in his denunciation of war sometimes overlooks this fact, and unites all wars in the one class of butchery and murder. This folly and falsehood prevent the truth he has from being recognized. War for passion's sake is only animal ferocity. War for ambition's sake is the sum of all crimes. But there are other wars than these, and wars which have been among the most beneficent events of human history. With the progress of humanity we may hope that the last type of war will no longer be necessary, and that the former types will be made impossible.

We may hope that national differences will yet be settled by reason and righteous arbitration, and that the spread of education will make men less impressible by the scenic glories of war and show them the unspeakable folly of the customary rant about national honor. In particular, the spread of the industrial type of society and of the Christian idea of man must tend more and more to make war in its traditional forms something which the conservative and humane elements of society will not tolerate.

In earlier days patriotism was the great virtue. There was nothing higher than the state, and patriotism was the great form under which self-sacrifice and unselfish devotion manifested themselves. It remains a virtue still, but only a subordinate one. The state has become instrumental for the individual, and humanity has become more than all states. There is no longer any justification for patriotism of the type which says, My country, right or wrong; and, moreover, patriotism of that type is not only immoral, but in the end pernicious to the country itself.

The church as an institution lies partly in the realm of theology and partly in the realm of ethics. But whatever its theological foundation and internal organization, it is subject to the same law as all other institutions. The church is for man and not man for the church, and its value is measured by its ministry to humanity. From this point of view a word may be permitted on the ethics of the church.

As an ideal, there is nothing great besides. We have before referred to the significance of institutions for the moral life, in that they furnish the sense of community which is the great condition of unselfish living. Of these institutions the church is ideally the head. Transcending all family, social, and national limits, it furnishes a community as wide as the race. Here the sharp antitheses of condition are removed. Here the bitter enmities of race and blood disappear. Here the high and the low, the rich and the poor, the wise and the ignorant meet together in the love of one Lord who is the Maker and Head of them all. Here, too, the spiritual forces of humanity centre. Here is the fellowship of all who are seeking to live in the spirit. Here is the perpetual witness to man's greatness and the perennial reminder of his immortal destiny. Here is a great universal confederation for spiritual purposes, and, through them, for all other purposes that look to man's upbuilding, freed from limitations of race and nation and condition, and bound by a common love to a common work toward a common aim, and that the highest. Surely here, as nowhere else, humanity can find the shadow of a large rock in a weary land.

How far we come short of this ideal need not be told. We have seen enough depressing facts already. The corruption of the best is the worst. The church, like all other institutions, suffers grievously from the imperfections of humanity. These reproduce themselves in the religious life and make here their most odious manifestation. Ethics

also has to complain that the church has not always remembered that it was made for man. Instead of ministering, it has often sought to rule, and that not in the spirit of ministry, but of unholy ambition. Like humanity itself, it has tended to lose itself in externals and to overlook the inner spirit and life. Moreover, it has not always duly regarded the other institutions of humanity. With a false, if not an impure, sanctity it has at times reflected upon the family; and with a mistaken, if not an unhallowed, ambition it has sought to usurp power over the state. It has also cultivated an other-worldliness which at times has been a serious menace to civilization, and from which we are not yet wholly free. The religious history of mankind is distressing enough, and the history even of the Christian religion is not without its depressing features when compared with its own ideal. Here, as elsewhere, we have to recognize that that which is perfect is not yet come, and that here, as elsewhere, men do not always know what spirit they are of. But here, again, as with our other institutions, progress does not lie in abolishing the institution, but rather and only in developing it in accordance with its ideal, as that ideal becomes better and better apprehended.

CONCLUSION

It remains to exhibit the net result of our labors. The substance may be set forth somewhat as follows:

1. That was not first which was spiritual, but that which was natural, and afterward that which was spiritual. But the spiritual is not something apart from the natural, as a kind of detached movement; it is rather the natural itself, rising toward its ideal form through the free activity of the moral person. The natural can be understood only through the spiritual, to which it points; and the spiritual gets contents only through the natural, in which it roots.

2. As a consequence, the field of ethics is life itself, and, immediately, the life that now is. And our moral task is to make this life, so far as possible, an expression of rational good-will. In this work we have a double guide. Internally, we have a growing moral ideal; externally, we have a growing insight into the tendencies of conduct. Neither of these can be deduced from the other, and both are alike necessary.

3. For life has two poles. It demands for its perfection both outward fortune and happiness and inward worth and peace. A conditioned life like ours cannot reach an ideal form, unless it be in harmony both with its objective environment and with

its subjective ideals. Either of these elements, when viewed apart from the other, is an abstraction of theory, and a source of confusion, if not of mischief. If we consider only the inner worth and peace, ethics runs to leaves. If we consider only the outer fortune and happiness, ethics runs to weeds. There is no need to ask which factor is first, as both should be first, last, and always.

4. The moral life finds its chief field in the service of the common good. Neither virtue nor happiness is attainable as a direct abstract aim. It is a commonplace that happiness eludes direct pursuit; and it is equally true, though less generally recognized, that virtue is alike elusive. Our nature acts spontaneously and normally only when we are taken out of ourselves and our attention is directed to our normal objects. The man who is seeking to do as he would be done by, and to love his neighbor as himself, is in a much better way morally than the man who is engaged in self-culture and the pursuit of virtue.

5. The greatest need in ethics is the impartial and unselfish will to do right. With this will, most questions would settle themselves; and, without it, all theory is worthless. The selfish will is the great source not only of wars and fightings, but also of dishonest casuistry and tampering with truth and righteousness. One bent on doing wrong never lacks an excuse; and one seeking to do right can commonly find the way.

6. Presupposing this will to do right, the great need in ethical theory is to renounce abstractions,

as virtue, pleasure, happiness, and come into contact with reality. Most of the theoretical contentions of the world would vanish if brought out of their abstraction. Mr. Mill did once suggest that two and two might make five, but he prudently located the possibility in another planet. That is, it was a purely verbal doubt, which neither he nor any one else ever dreamed of tolerating in concrete experience. Ethics, in particular, has suffered from this verbalism; and all the more because it is a practical science, which has to do with life rather than speculation. Concrete relations and duties have been overlooked in the name of various abstractions—all of them thin and bloodless, and admitting of endless verbal manipulation. It is in this region of abstractions that most ethical debate has been carried on. Hence its sterility of anything but mischief. As Mr. Mill's doubt did not touch practical arithmetic, so the doubts of the ethical schools vanish before concrete matter. The men of good will who are desirous of leading a helpful and worthy human life will generally agree in the great outlines, and also in the details, of duty, whatever their ethical philosophy. And even the tedious vaporers about the indifference of vice and virtue succeed in believing their own whims only so long as they keep clear of the concrete. A blindness more than judicial can easily be induced concerning the facts of human life by bringing in a few such terms as sin and plunging into the labyrinths of theological controversy. So great is the deceit of words! Hence the importance of rescu-

ing ethics from its abstractions and bringing it into contact with life.

7. The great need of ethical practice, next to the good will, is the serious and thoughtful application of intellect to the problems of life and conduct. As error arises less from wilful lying than from indifference to truth, so misconduct and social evils in general arise less from a will to do wrong than from an indifference to doing right. As of old, the "people do not consider;" and in the ignorance thus engendered terrible things are done or ignored. There is really moral life enough to make vast and beneficent reforms, if the people would only consider. And until they do consider we must worry along in the old way, with an embryonic conscience, drugged by custom and warped into artificiality, while life is directed not by wise and serious reflection, but by conflicting passion and selfishness. We shall escape from this condition only as we control the mechanical drifting of thoughtlessness, and advance beyond the narrowness of the conventional conscience, and devote all our good will and all our intellect to the rationalization and moralization of life.

8. We shall also do well to remember that righteousness is nothing which can be achieved once for all, whether for the individual or for the community. The living will to do right must be ever present in both, forever reaffirming itself and adjusting itself to new conditions. The tacit dream of the half-way righteous in both fields is that some stage may be reached where the will may be relaxed,

and given a vacation. But this dream also must be dismissed. Both individual and social righteousness are likely long to remain militant. As we are now constituted, righteousness cannot be so stored away in habits as to dispense with the continuous devotion of the living will. Especially is this devotion demanded in social righteousness. Here the error is perennial of thinking that justice and wisdom may be so stored up in laws and constitutions as to run of themselves, while the citizens are left free to go to their farms and merchandise. This is one of the most pernicious practical errors of our time. Social righteousness may be expressed in laws, but it lives only in the moral vigilance of the people.

9. In a very important sense the respectable class is the dangerous class in the community. By its example it degrades the social conception of the meaning of life, and thus materializes, vulgarizes, and brutalizes the public thought. Also, by its indifference to public duties, it constitutes itself the guilty accomplice of all the enemies of society. By this same indifference, too, it becomes the great breeder of social enemies; for only where the carcass is are the vultures gathered together. The ease with which self-styled good people ignore public duties and become criminal accomplices in the worst crimes against humanity is one of the humorous features of our ethical life.

10. In the application of principles to life there will long be a neutral frontier on the borders of the moral life, where consequences and tendencies have

not so clearly declared themselves as to exclude differences of opinion among men of good will. Here men will differ in judgment rather than in morals. It is very common to exaggerate this difference into a moral one; and then the humorous spectacle is presented of friends who ignore the common enemy and waste their strength in mutual belaborings. This is one of the great obstacles to any valuable reform.

11. Finally, in reducing principles to practice we must be on our guard against an abstract and impracticable idealism. Even in the personal life conscience may be a measureless calamity, unless restrained by a certain indefinable good sense. Many principles look fair and even ideal when considered in abstraction from life, which cannot, however, be applied to life without the most hideous or disastrous results. Here is the perennial oversight of off-hand reformers and socialistic quacks. Ethics when divorced from practical wisdom prevents the attainment of its own ends. The abstract ethics of the closet must be replaced by the ethics of life, if we would not see ethics lose itself in barren contentions and tedious verbal disputes.

THE END

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